



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



GEORGIA

Board of Public Welfare
" in Loco Parentis"
1922

HARVARD
LAW
LIBRARY

Digitized by Google



"IN LOCO PARENTIS"

(In place of the parent)

16

**THE WORK OF THE JUVENILE COURT IN SAVING
GEORGIA'S WARDS FROM LIVES OF
POVERTY AND CRIME**



**A HANDBOOK FOR JUVENILE COURT JUDGES,
ADVISORY BOARDS, PROBATION OFFICERS
AND CIVIC ORGANIZATIONS
1922**

**State Department of Public Welfare
Burr Blackburn, Secretary.**

STATE DEPARTMENT OF PUBLIC WELFARE

Members of the Board

C. B. HOWARD, Chairman, Atlanta

JUDGE ANDREW J. COBB, Athens

J. G. HARRISON, Macon

MISS ANNETTE McDONALD, Cuthbert

MRS. WILLIAM R. LEAKEN, Savannah

STAFF

BURR BLACKBURN, Secretary

MISS RHODA KAUFMAN, Assistant Secretary

BOYCE M. EDENS, State Agent

MISS MARY McLEOD, State Agent

OFFICE

at the

STATE CAPITOL, ATLANTA

Georgia. Board of public welfare

“IN LOCO PARENTIS”

(In place of the parent)

ct

THE WORK OF THE JUVENILE COURT IN SAVING
GEORGIA'S WARDS FROM LIVES OF
POVERTY AND CRIME



A HANDBOOK FOR JUVENILE COURT JUDGES,
ADVISORY BOARDS, PROBATION OFFICERS
AND CIVIC ORGANIZATIONS

1922

State Department of Public Welfare
Burr Blackburn, Secretary.

1922
INDEX PRINTING CO.,
ATLANTA, GA.

FEB 5 1923

FOREWORD

"The only real wealth is people"

The conservation of human life is the soundest economics. To make productive citizens out of the defective, the delinquent, and the dependent is not only good morality, but good business.

The tragedy of blighted lives has its own appeal to the sentiments of normal men and women. The staggering material loss to the state in its unfortunates must appeal to the common sense.

The purpose of this pamphlet is to set forth in some measure the tremendous opportunity afforded by the Juvenile Court to provide means for preventing the increase or the indefinite continuance of the human waste which is now a tragedy, and of reclaiming and restoring to productive citizenship the unfortunate. (From, 1921 Report Ohio State Board of Public Welfare).

The most far reaching importance of the Juvenile court lies in its practical relationship to the whole crime problem. Crime costs in this country some three or four millions of dollars a day, and hundreds of thousands of persons are sentenced annually. The Juvenile court with its possible hold on many beginnings—when it and its agencies have grown to a higher state of achievement—is in the most strategic position for reducing this vast blot on social life.

William Healy M. D. Director Judge Baker Foundation, Boston,
in Children's Bureau Publication No. 96.

CONTENTS

Introduction

Your Responsibility

Chapter I The Meaning and Growth of the Juvenile Court Movement.

1. Guilt or Innocence Subordinated
2. Laws Passed by All but Two States
3. Always a Place for Socialized Juvenile Court

Chapter II. Status in Georgia

4. Law Requirements Since 1916
5. Only Eight Courts Established in 1920
6. Designation is Mandatory
7. Judges Obligated to Serve
8. Special Juvenile Courts
9. Paid Probation Officers Required
10. Qualifications of Paid Probation Officer
11. Method of Selection and Removal
12. Duties of Probation Officers
13. Probation Officer's Duties May be Extended
14. Circuit Supervisor for Rural Counties
15. Duties of Advisory Board
16. Negro Advisory Committee

Chapter III Complaint or Arrest

17. Bringing the Case to Court
18. How Police Should Handle Case
19. Preliminary Investigation

Chapter IV Detention of Children

20. Provisions for Detention
21. Arrangements for Detention in Small Counties
22. Detention in Almshouses Inexcusable
23. Length of Detention
24. Limits of Use of Detention

Chapter V Studying the Case

25. Elimination of Trivial Cases
26. Investigation of Circumstances Leading to Complaint

- 27. Study of the Social Factors in the Child's Life
- 28. Physical and Mental Examinations

Chapter VI Trial in Court

- 29. Presentation of Investigation to the Judge
- 30. Hearing in Private Chambers
- 31. Formalities Eliminated
- 32. Hear Child's Evidence First
- 33. Frequency of Hearings
- 34. Woman Referee in Girl's Cases

Chapter VII Jurisdiction of the Court

- 35. Court Order Protects Best Interest of Child
- 36. Jurisdiction of the Court Limited
- 37. Concurrent with Superior Court
- 38. All Cases Should be Referred to the Juvenile Court
- 39. Illegal to Detain
- 40. Ordinary and City Courts Deprived of Jurisdiction
- 41. Suits Involving Custody of Children
- 42. May Appoint Guardian
- 43. Issuing Legal Adoption Papers
- 44. Medical Care May be Enforced
- 45. Restitution of Damages
- 46. Prosecution of Adults Who Contribute
- 47. Verification of Age

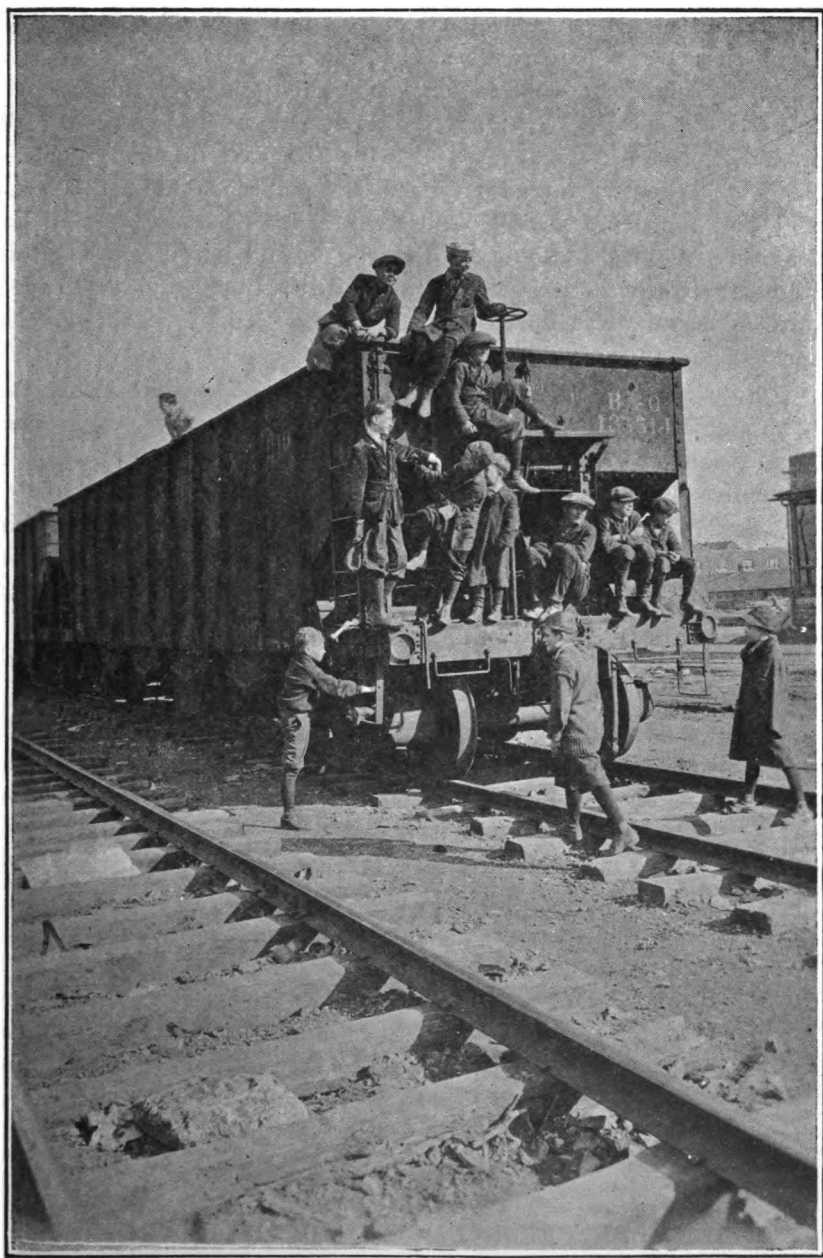
Chapter VIII Laws for Protection of Children

- 48. Enforcement of Proper Support in Institution
- 49. Forcing Parents to Support Child
- 50. Estrangement and Divorce
- 51. Prosecution of Illegitimate Children
- 52. Compulsory School Attendance
- 53. Child Labor Law
- 54. Prosecution for Crimes Against Children

Chapter IX Disposition of Case

- 55. Probation Advisable in Most Cases
- 56. Children Who Should Be Taken Under Custody of Court
- 57. County Reform Schools or Farms Inadvisable
- 58. Steps Necessary Before Commitment to Private Institution
- 59. Method of Commitment and Discharge to State Institutions

60. Care of Blind, Deaf and Crippled Persons.**Chapter X. The Care of Dependent Families****61. Development of Community Resources****62. Essentials in Family Service****63. Transients****64. County Poor Relief****65. Provisions of Poor Laws****66. County Almshouse Cases****67. Care of Confederate Veterans****68. Compensation for Industrial Accident****Chapter XI Probation****69. Methods of Supervision****70. The Details of Supervision****71. The Probation Officer and the School****72. The Problem of Employment****73. Cooperation with other Agencies****74. Records****75. Follow Up Care****76. Gaining Public Appreciation of Work****Chapter XII Community Protective Measures****77. Some Suggested Plans****APPENDIX****1. Essentials of Juvenile Detention Homes****2. Georgia Juvenile Court Law with Index****3. Georgia Adult Probation Law****4. Laws Governing the State Boy's and Girl's Training Schools**



THE GANG

The Beginning of a Wayward Career.—Courtesy Municipal Court of Philadelphia and National Probation Society

INTRODUCTION

The Act creating the Department of Public Welfare passed by the legislature in 1919 required that this department should "with a view to increasing the efficiency of public and private officials-----for the care and custody of the dependent, defective and delinquent classes-----cause to be distributed among such of ficals literature bearing upon the subjects embraced under this Act," and that the department should "collect and compile and publish statistics and information regarding the dependent, defective and delinquent classes both in and out of institutions, and such other data as may be of value in assisting the officials-----in the performance of their duties."

It is with a view to complying with these provisions that this pamphlet has been prepared, and is presented to those forward minded citizens and officials in Georgia who are interested in stemming the tide of criminality, saving the state millions of dollars, and thousands of human lives for service and good citizenship.

The same act stipulates as a duty of this department the visitation, inspection and examination of county organizations of a correctional or reformatory nature which are for the care custody or training of the dependent and delinquent classes. The Juvenile Court comes under this description.

Since the law of Georgia requires such a Juvenile court in every county in the state, the work delegated to this department is no mean task. If we are to succeed in making this great modern system of saving youth really effective we must have the cooperation of all those who love children, and of every court officer, sheriff, policeman, county commissioner, and public official.

The department stands ready to come on call to any county which requests aid, to advise with judges and probation officers regarding the disposition of any case, to supply forms at moderate cost for court records, to send speakers to civic organizations, to assist in the selection of trained probation officers, and to help in any possible manner which the needs of the delinquent, dependent or neglected child might suggest.

THE DIFFERENCE BETWEEN CRIMINAL AND JUVENILE COURTS

"The court which must direct its procedure even apparently to do something to a child because of what he **has done**, is parted from the court which is avowedly concerned only with doing something

for a child because of what he **is** and **needs**, by a gulf too wide to be bridged by any humanity which the judge may introduce into his hearings, or by the habitual use of corrective rather than punitive methods of correction after conviction." Edward F. Waite, formerly Minneapolis Juvenile Court Judge.

The criminal court simply cannot give the social investigation, careful diagnosis of needs, and thorough probation that is possible in a properly organized juvenile court.

YOUR RESPONSIBILITY

If citizenship impiles service to the community this handbook should be a challenge to every citizen who receives it!

YOUR RESPONSIBILITY does not stop short of seeing that every needy child in your county gets a square deal—and the Juvenile court is the first life saving station on the road to crime and poverty. What should you do to make your county juvenile court effective?

1. Read Chapter II and find out whether or not the Superior Court Judge has designated your county Juvenile court. If he has not, arouse civic organizations to demand that he comply with the law.

2. Has the Juvenile Judge appointed an Advisory Board? If not read Section 15 of this pamphlet and get him to appoint the most representative citizens in the county.

3. Then let the Advisory Board get busy and bring your court up to the highest possible standard. Section 15 gives the duties of this board in detail.

4. Arrange programs in your civic organizations on the care of dependent and delinquent children using this pamphlet as a text book, with such subjects as:

The Juvenile Court Movement in America. (Special pamphlet will be sent on request.)

The Georgia Juvenile Court (Chapter II this pamphlet)

The Juvenile Court in Our County

Probation Work (Chapters V to XI)

CHAPTER I

The Meaning and Growth of the Juvenile Court Movement

"The sympathy and the public interest which the child in trouble always calls forth, together with the growing modern conception of the supreme importance of child protection and education, have in recent years forced a modification of the former method of dealing with all law violators by means of punishment supposed to fit the crime*. Society is at last beginning to see that there should be substituted for its system of prosecution, trial, and punishment—ineffectual either to prevent crime or to cure the criminal—the system of investigation, diagnosis, and treatment, such as has now been adopted, in theory and at least partially in practice, in the children's court.

1. Guilt or Innocence Subordinated

"In this court the question of guilt or innocence as to a particular act or acts is wholly subordinated, as it should be, to an examination of the character and condition of the child referred for attention. Its underlying conception and dominant practice is to ascertain the individual and social causes of the delinquency and to remove or counteract them. It is not interested in punishment as such. Its purpose is to understand in order that it may be able to cure and prevent. The children's court works entirely through the individual study and treatment of each child. Properly conceived, its work is analogous and, in fact, closely related to that of the physician. In its study of the individual child before a diagnosis is reached, it employs the trained social investigator, usually known as the probation officer. In its treatment it utilizes all the helpful and preventive agencies of the community under skilled direction of the probation staff.

"The work of the children's court is thus seen to be scientific. While most courts are still largely influenced by the prevailing theological conception of crime or antisocial conduct as determined by character and free will, and hence calling for fitting punishment, the children's court has become a pioneer laboratory in applying the

*From U. S. Children's Bureau Publication No. 80, "Probation in Children's Courts," by Charles L. Chute, Secretary National Probation Association. We are deeply indebted to Mr. Chute for this comprehensive work. Where quotation marks are used in this pamphlet not otherwise designated they are taken from his publication.

principles of modern scientific criminology based on the study and treatment of the individual delinquent rather than on punitive law.

2. Laws Passed by all but two States

"In the 21 years since the first juvenile court was established in this country the extension and development of the juvenile court and probation has been remarkably rapid. In spite of inertia and reactionary opposition involving many legal attacks upon the soundness of the principles involved, all of which have been met, rapid development has occurred. Nearly every year new laws have been passed providing for children's courts, and probation and better standards have been adopted.

"All but two states in the Union now have laws providing for juvenile or children's courts, these states being Maine and Wyoming. Every state, however, with the single exception of Wyoming, now has laws providing for the appointment of probations officers for dealing with children in the courts. Although in many states children's courts are found only in one or two of the largest cities, state wide systems intended to reach every child are in existence in a majority. The development in the last few years has been notable, especially in certain southern states. Within the past five years the states of Mississippi, West Virginia and New Mexico have provided for juvenile courts and probation for the first time, and the state of Georgia and North Carolina have extended their systems to the entire state. The North Carolina law of 1919 is especially notable, providing for a special juvenile court and judge and a paid probation officer in every county."

3. There will always be a place for a socialized juvenile court to repair the damage cause by the failures of our other social agencies. More and more the public school system and the public health service, with their advance in preventive work, will relieve the pressure which bears down so heavily upon courts and reclaiming agencies of all kinds. The time has already come when the juvenile court can demand that the school system provide mental and physical examinations and the enforcement of compulsory education. More and more use of the court will be narrowed to giving the authority of the law to the plans of private and public agencies which need compulsion to make them effective. Meantime, the court's largest service is in its close analysis of the causes of distress and delinquency. It should be a constant prick to the community conscience, urging that the gaps in the economic, educational recreational, and public health organization be closed, and the flood of human wastage be reduced.

Chapter II

STATUS IN GEORGIA

4. The Law of Georgia has required since 1916:*

a. That there be a Juvenile court with a paid probation officer in every county in the state,—an existing court of record to be designated by the Superior Court Judge of the Circuit, to serve without additional compensation. Counties of 35,000 population, and less than 60,000, may have a special separate juvenile court with a salaried judge upon the recommendation of two successive grand juries. Counties of 60,000 population or more must have a special separate court.

b. That no child, unless charged with a crime punishable by death or life imprisonment, may be confined in jail awaiting trial except in special cases, and then only on order of the Juvenile judge. It is mandatory that when necessary to detain children (except the most dangerous and incorrigible) a place must be used separate and removed from any jail or place where adults are imprisoned.

5. Although this law has been on the statute books five years, there were but eight juvenile courts in existence when the Department of Public Welfare began its campaign in the summer of 1920, and hundreds of children were being illegally confined in county jails and sentenced to chaingangs with murderers, cut-throats and degenerates.

This condition was due to there having been previously no state department to make the law effective. When called to their attention, many of the Superior Court judges promptly designated juvenile courts as required by the law. The campaign of the Department has been welcomed by child lovers everywhere.

6. **Designation is Mandatory.**—According to an official opinion of the Attorney General, dated October 27, 1920, "This Act further provides that 'the judge of the Superior Court shall designate an existing court of record to act and be known as the Juvenile court of said county'-----It is not a matter of discretion with the Judge of the Superior Court as to the designation of a children's court, but it is a mandatory duty upon him. This is manifest from that portion of Section 3 of the Act of 1916 which reads: 'It is the purpose of this amendment to make state wide the benefits of the

*For complete Juvenile court law see appendix

Juvenile court'-----While there is no remedy available to compel the judge of the Superior Court to designate the court which is to act as Juvenile court, as mandamus is not available, still I am sure that the Judges of these courts will perform their duties when their attention is directed to the law."

Citizens, therefore, in the counties where no court has been designated, should organize an appeal to the Superior Court judge of their circuits requesting an immediate compliance with the law.

7. Judges Obligated to Serve.—When the Superior court judge has designated an existing court of record (either the ordinary or city court) to act and be known as the Juvenile court of a county, the Juvenile court is established for all time, and the judge of the court of record must serve as Juvenile judge. It is not a matter of discretion with him. There is no provision for him to resign or refuse to serve. The Attorney General has so held (October 27, 1920), and has stated further that the fact that no compensation is permitted (see appendix Section 900 (00)) does not alter this condition. "The performance of the ministerial duties imposed upon the court designated as Juvenile court can be enforced by mandamus."

In several instances judges have refused to act as Juvenile court judge, claiming that the office did not pay them anything. Local groups interested in childhood should enter mandamus proceedings with the Superior Court to enforce the performance of these duties. In one or two cases, upon the refusal of one court to act, the Superior Court Judge has designated another. There is no legal basis for this, however, and the courts first designated is, before the law, still the Juvenile court in that country.

If the Juvenile Judges would realize that the bulk of the court's work should be done by the probation officer and the advisory board,—that their part is to furnish the understanding and sympathy, rather than any large amount of activity,—then they would perhaps more willingly undertake this humanitarian service which should endear them to the people of the county. Eventually, when the system is established and appreciated, the law should be amended to permit the county commissioners to pay the designated juvenile judge a small salary.

8. Special Juvenile Courts.—Special Juvenile courts, with a special judge separate from any other court, on salary, exist at present in three counties, Bibb, Chatham, and Fulton.

Counties with sufficient population to entitle them to a special court (35,000 population) whose grand juries have not yet acted, are:

Floyd,	Laurens,	Muscogee,	Troup,	DeKalb
--------	----------	-----------	--------	--------

Richmond county grand juries ordered such a special court, and it was established for a time, but on the death of the judge, the city court judge was appointed to the position. In counties of large population it is important that the judge be not associated with the criminal courts and that he be paid for the large amount of time necessary for the work.

This special juvenile judge is to be appointed, after the two successive grand jury recommendations, by the Superior Court Judge, for a period of three years, at a salary fixed by the Superior Court Judge with the approval of the county commissioners. He must be a "properly qualified person of high moral character and clean life, selected for his special fitness for work with delinquent and neglected children," but he need not be a lawyer. (Appendix, Section 900 (00)). In counties of more than 60,000 population the judge is appointed for six years, and must have practised law for three or more years. (Appendix Section 900 (u)).

While undoubtedly every county with over 35,000 population should have a special judge, they would do well to begin with the employment of a probation officer acting under the designated court. The probation officer's work will soon bring public sentiment around to see the need of the special judge. Floyd is the only county in this group which has employed a probation officer. The other counties should make this their first step.

9. Paid Probation Officers Required.—In counties of 60,000 population or more the law requires the employment of such probation and court officers as the court considers necessary and specifically states that they "shall receive such salaries as may be prescribed by the court" (Appendix (dd)). In this instance the responsibility for fixing the salary is placed entirely upon the Juvenile judge who also makes the appointment.

In counties of less than 60,000 population the law requires that "The judge of the Juvenile court, shall, with the concurrence of the Superior Court judge, appoint one or more probation officers, male or female, who shall be paid an amount named by the court and approved by the county commissioners (Appendix, Section 900 (00)). This is another instance where the law is mandatory. If its provisions were carried out there would be a paid juvenile probation officer in every county in this state. While the law states that the amount of the salary set by the Juvenile judge shall be approved by the county commissioners their payment of a reasonable salary is certainly contemplated by the act. However, it is probably impossible to force the commissioners by law to pay such reasonable salary, and would be inadvisable in any event. Local in-

terested citizens should so organize public sentiment as to bring conviction in the minds of the commissioners that the public will support them in making such an appropriation from the public funds.

The salary should, in no instance be less than \$1200.00 while automobile transportation and office expense should also be supplied.

10. Qualifications of Paid Probation Officer.—"It is extremely important that only those should be appointed as paid probation officers who are properly qualified for this difficult and responsible position. In general, persons undertaking this work should have had some experience in social or charitable work. A fair education is important, preferably completion of a high school course or its equivalent and further special training is desirable. Probation officers should be of unquestioned character, of sound judgment of men and affairs, sincerely interested in helping others, and able to influence others by example and moral suasion, While humanitarian sympathy is essential, decision, firmness and good judgment are equally necessary. Those appointed should also be tactful, well informed and resourceful " (From New York State Probation Officer's manual). When there is only one probation officer in a county, a woman should usually be appointed as the work with mothers and families can best be done by a woman. A white man and a negro woman should next be added in the larger counties. The negro is needed to handle negro cases.

11. Method of Selection and Removal.—In counties of 60,000 population appointment of probation officers must be determined by a competitive public examination, held by three examiners appointed by the court, and the choice lies between the three with the highest standing on examination (Appendix Section 900 (x)).

In counties under 60,000 population the probation officer is appointed by the judge of the Juvenile court, with the concurrence of the judge of the superior court (Appendix Section 900 (00)). No examination is required, but the judge would usually follow the advice of his advisory board, and, with his consent, the advisory board might itself conduct an examination. This policy was followed in Floyd county with good success. The State Department of Public Welfare would be glad to assist in such examination and in the search for a competent person. The officer need not be a resident of the county. In fact few counties will have a local person with the right experience and training.

Probation officers may be removed for cause by the judge, the reasons therefor to be assigned in writing (Appendix, Section 900 (y)).

According to the best ideas of Juvenile Court workers all probation officers should be appointed by the juvenile judge from a list of eligibles who have passed an examination given by the state Department of Public Welfare, and should be removed by that department if proven inefficient after a formal hearing, but this is not provided in the Georgia law.

12. Duties of Probation Officers.—The probation officer is responsible for the entire handling of each child's case up to the time the judge passes judgment, and for carrying out the decisions of the court. If the court has no clerk, the probation officer is also responsible for keeping all records. Where there is a clerk, or more than one probation officer, the chief probation officer should supervise the clerk, and other officers.

A. The duties of the probation officer with regard to each case may be classified as follows:

1. Preliminary Investigation (See Section 19)
2. Detention (See Chapter IV)
3. Study of the Case (See Chapter V)
4. Formulation of a Plan (See Chapter VI to IX)
5. Presentation to the Judge (See Section 29)
6. Carrying out the Decisions of the Court (See Chapter VIII to XI)

7. Reporting Progress to the Judge.

B. The duties of the Probation Officer with regard to the Juvenile Court Advisory Board (see paragraph 15) are; to act as secretary of the board, to assist the chairman in calling and arranging monthly meetings, to make monthly reports of work accomplished, to enlist the interest and efforts of the board members in the services they can render.

C. The Probation Officer should enlist the cooperation and sympathy of every group in the county seat which is interested in Family Service, and of at least one group in every other community center in the country. Where there is no such group the officer should endeavor to organize one. Organizations such as Parent Teacher's associations, churches, etc. should be induced to appoint special Family Service Committees, (See Chapter X). The Probation officer should attend meetings of these groups, discuss cases they are interested in with them, and give them courses of instruction in Juvenile court and Family Service work. He should arrange annual County Welfare Conferences, bring in outside speakers, etc.

D. The Probation Officer should stimulate the community to action in providing preventive measures as described in Chapter XII, but should not take the leadership in such work, nor accept responsibilities or office in other organizations.

E. The Probation Officer should carefully refrain from political and social entanglements, should not offer for elective office, or take sides in controversies outside his own field of work.

13. Probation Officer's Duties May be Extended.—In the event that a juvenile probation officer be appointed, the work of this officer should be extended (except in the larger counties) to cover the supervision of adult probation *and county poor relief (See Chapter X). This has been tried in several counties and found quite satisfactory,—the probation officer handling probation work for both the criminal and Juvenile courts, looking after applicants for poor relief funds and admission to the almshouse for the county commissioners.

This department is opposed, however, to the probation officer undertaking to act as truant officer for the schools, as the schools should be encouraged to look after the enforcement of the compulsory education laws through a visiting teacher who not only gets children into school, but organizes home school cooperation, adjusts children to their grades and studies, and only refers cases to the Juvenile court which require court action to enforce compliance by children or parents. The probation officer cannot do justice to this work, together with his other duties, and his assuming it will only delay the time when the school system will provide a visiting teacher.

Neither should the probation officer do any work as a public health nurse. Every county should employ at least one nurse. The court, advisory board and probation officer should throw their influence toward the adoption of the Ellis Health law by the county government.

When the work of the Probation Officer has been extended to include supervision of adult probation and county poor relief it will be well to coordinate all the protective and family service work by the organization of a COUNTY WELFARE BOARD composed of the chairman of the Juvenile Advisory Board, a volunteer commissioner of the Poor appointed by the county commission, a lay representative of the criminal courts appointed by the Superior

*For Adult Probation Law, See Appendix.

Court Judge, the chairman of the county visiting Committee of the State Department of Public Welfare, and representatives of the principle civic and service organizations being careful that the membership of the board does not exceed ten or twelve. This County Welfare Board should meet monthly, appoint special committees, and endeavor to supervise and coordinate all the work in the county for the handicapped classes. It should conduct a "Confidential Exchange" where all cases would be registered and duplication prevented by notifying agencies when more than one are handling the same case. The probation Officer would act as secretary of this board.

14. Circuit Supervisor for Rural Counties.—In the larger counties steps should be taken at once to secure the appointment of an efficient probation officer. However, in the smaller counties it is quite feasible that a joint probation officer be appointed by all the counties in a judicial circuit and the expense pro-rated on a basis of population. In this manner a higher type worker can be secured and no county will be heavily taxed.

The department of Public Welfare will be glad to assist in organizing the work, in securing a trained worker, and in supervising the work after he is appointed. This circuit plan recommended by the Dept of Public Welfare for rural counties is as follows:

a. That the Superior Court judge call a meeting of one member of each county commission, and one lay woman and one lay man from each county, and organize a Circuit Welfare Board.

b. That a Circuit Welfare Supervisor be employed at a salary of \$1800.00 and expenses to work under the direction of the Circuit Welfare Board. (The worker would be appointed juvenile probation officer by each juvenile judge).

c. The worker, as far as possible, to divide his time among the counties on the basis of population. His success, of course would depend upon his ability to organize volunteer service to do the actual case work, as it would be impossible for him to take up individual cases, except in rare instances though he should always personally handle cases where probation has failed and it is planned to take the child away from its home. He would be an educator, consultant, and advisor, preparing for the time when each county would see the need of employing a probation officer on full time.

d. The cost of meeting salary and expenses of this worker to be divided between the counties on a basis of population. If some public spirited citizen would donate \$2000. annually for several

years during the demonstration period, it would be easy to get the county authorities to appropriate the balance.

15. Duties of Advisory Board.—The Juvenile judge may appoint an Advisory Board of not less than six nor more than ten, half of whom shall be men, and half women, who shall serve without compensation. They hold office during the pleasure of the court. (Appendix Section 900 (ee)). The duties of the board are to visit institutions and agencies receiving children from the court, reporting to the judge, and to advise and cooperate with the judge upon all matters affecting the work of the court. The following suggested activities of such a board indicate the valuable service it could render:

1. Study the methods of the court, and its probation work and assist the judge in improving them.

2. Study the equipment of the court, and bring influence to bear to better it.

3. Study the Juvenile court law and promote any needed amendment by the legislature.

4. Prevent confinement of children in jails and police stations. Inform police, sheriff and justices of the peace as to provision of the law. (See Chapter III).

5. Hold educational meetings, bring state and national speakers; send local speakers to local organizations.

6. Secure big brothers and big sisters for children on probation.

7. Act as a "case committee" before which the judge and probation officer will bring difficult cases for discussion and suggestion.

8. Interest itself in seeing that any influence in the community that makes for wrongly affecting the young shall be obliterated.

9. The Juvenile court is the place where the evidence of the community's disorganization can be best secured. With the facts here gathered and the human interest stories to illustrate them, the board could arouse the community along health, educational and recreational lines. (See Chapter XI).

The Advisory board will no doubt early reach the conclusion that a paid probation officer is an immediate necessity. Here the experience of other Georgia counties should be borne in mind. The entire program may be discredited by securing a poorly paid incompetent. If the county commissioners cannot be induced to make sufficient appropriation, or the judge wants to make an ill advised political appointment, it would be much better to join with the counties in a judicial circuit in securing a capable well paid circuit

worker. Broken down politicians, young lawyers with political ambitions who take the position for its influence and give no time to it, or worn out good hearted women are not capable of real leadership in this important field. The department of Public Welfare should be called into consultation when an Advisory Board is first considering the question of securing a probation officer.

16 Negro Advisory Committee.—While the law does not specifically require the appointment of a negro advisory committee, the judge and the Advisory Board would do well to enlist a group of negro leaders as a special committee to assist the court among the negro population, in exactly the same manner that has been outlined in the previous paragraph for the work of the Advisory Board composed of white people. The negroes will be found to be especially responsive in undertaking this work, and, if given encouragement, will do much to cope with their own problems.

Chapter III.

COMPLAINT OR ARREST

17. Bringing the Case to Court.—The field of the Juvenile court includes not only the case of children who may come in conflict with the officers of the law, but that much larger group who have not yet committed a criminal act deserving arrest, but are known to the community to be in a state of delinquency, dependency or neglect.

Hence it is not necessary that a warrant or criminal charge be brought against the child, or its parents, or that he be placed under arrest. "Any person having knowledge or information that a child is in need of the care of the court may file a petition with the juvenile court stating the facts that bring such child within the provisions. The petition may be upon information and belief." (Appendix, section 900 (c).). The petitioner is not a prosecutor, and is not required to make good his case or to prepare evidence. The court, through its probation officer makes the further investigation, and takes whatever action is necessary to safeguard the welfare of the child. When this becomes well known in the community the number of cases coming before the court should be largely increased. However, it would be manifestly foolish to file a petition with the court when the condition could be readily corrected by some other community agency, such as school, church or charitable agency. Only those cases where radical reformation in the home or environment or habits of the child is necessary should be referred to the court.

18. How Police Should Handle Cases.—When it is possible to avoid it no child should be arrested by a police or county officer. The policeman or sheriff should where possible take the child who has violated a law direct to his home, and require the parents to give recognizance for their child's appearance in court (Appendix, Section 900 (m)). The officer would then file the petition in the juvenile court. If, however, the child has committed an offense so serious that his release would endanger the public safety, or the home conditions are so bad as to demand immediate removal, or the child is entirely beyond the control of his parents, including runaways, it will be necessary to turn the child over to the probation officer, either at the court, or at his residence. In counties having a detention home, of course the child would be delivered there. Certainly the patrol wagon should never be used for taking child-

ren into custody. In no case (except for a capital offense) can a child be legally detained in jail pending turning him over to the juvenile judge or probation officer.

To secure this cooperation from the police or sheriff and deputies the judge, probation officer, and advisory board should take the pains necessary to explain and persuade in order to bring them to the proper point of view.

19. Preliminary Investigation.—However, with all the education possible along these lines, many children will be brought to the court or the probation officer who should not be detained. "To detain such children longer than the time required for the probation officer to communicate with their parents and to ascertain the facts relative to home conditions involves needless expense and often results in injury to the child. This does not imply a complete investigation (such as may be required later for purposes of court action), but can be done in a few minutes, or hours at most, and will make detention unnecessary in most cases, as well as insure the holding of children whose release would be unsafe."

Chapter IV

DETENTION OF CHILDREN

20. Provision for Detention.—When all useless cases are eliminated there will still remain some children who must be detained while their cases are being adjusted. The Juvenile court Act states "The Judge of the Juvenile court shall make arrangements for the proper detention of children under this article in surroundings separate and removed from any jail, lock up or other place of imprisonment where adults are imprisoned, except on order of the judge or probation officer." (Appendix, Section 900 (00)). It further provides that the juvenile judge may order a reasonable sum paid from the county treasury to pay for the care of such children under detention by an "incorporated society or association," but if such an arrangement cannot be made, upon the recommendation of the judge the county authorities shall establish, equip and maintain an adequate detention home. (Appendix, Section 900 (r).).

The counties of Fulton, Chatham, Bibb, and Richmond now have detention homes. For discussion of the equipment or administration of detention homes see appendix. The department of Public Welfare is prepared to submit plans and suggestions for the proper buildings and equipment whenever change or construction is contemplated, and has special literature for distribution bearing on the conduct and administration of the home.

21. Arrangements for Detention in Small Counties.—We are very strongly of the opinion that, except in these four largest counties no institutional detention homes are needed. In the other counties the few children who must be detained a few days can either be kept in the home of the probation officer or boarded in a family home. This plan has worked successfully in two Georgia counties, in several cities in other states, and in one large district of Boston. The Georgia county is required under the law to pay board for detaining children on the order of the Juvenile court judge, although the statute provides that the home must be conducted by an incorporated association or society. If the county commissioners insist upon incorporation, the court can form an association of several families to take temporary care of the court's children in their homes, and apply for incorporation to the Superior court (until the law is amended).

22. Detention in Almshouses Inexcusable.—A word of warning should be spoken against detaining children in county almshouses. The low and vicious tendencies of many of the inmates of these homes, no matter what their age,—especially of the imbecile and feeble-minded who make up a large part of the population, are sure to damage the morals and character of any child placed there. Most states in the Union make it illegal to receive and retain in almshouses children who are past the age of babyhood.

The following newspaper story appearing in a Georgia newspaper during 1921 illustrated the danger of placing children in almshouses:

**Woman and Children Sought
by Officers**

August 19—(Special) Taking with her three little children, who were being held temporarily to be sent to an orphan asylum near Atlanta, Mrs. Minnie Forest an inmate of the county almshouse near here, disappeared Wednesday. The sheriff and police have thus far made an unsuccessful search for the woman and children. Anxiety is felt by the authorities at the institution for the safety of the children, as one of them is only a baby. The other two are a boy of 5 and a girl of 4 years. The woman is declared to be partially insane.

23. Length of Detention.—Children should never be detained before trial or other disposition by the court longer than a week, or two weeks at the most. Care will have to be exercised not to take into custody children for whom a solution cannot be worked out promptly, even though the child will have to remain in an unfit home a while longer. The court is not responsible for the fact that the state has not provided sufficient accommodations for the care of dependent and delinquent children. Where children are kept any length of time the problem of caring for feeble-minded, delinquent, as well as perfectly normal destitute children of both sexes calls for greater classification and separation than any institution ever attempts to provide. A detention home can temporarily separate these various types, but cannot afford them normal life over any period of time.

24. Limits of Use of Detention.—(a) The detention home should never be used for the treatment of children who are venereally infected, unless there is special provision for complete isolation. This is a hospital problem, and spreading contagion to innocent

persons should not be risked. This practise followed by one of our Georgia detention homes has been condemned by this department. If there are no isolation and hospital facilities available and should the child refuse voluntarily to accept treatment while on probation a special equipped boarding home might be secured.

(b.) The detaining of children for purposes of observation is a pet theory in some quarters, but is of little practical value. The children are under such unfamiliar surroundings that they do not show their normal social behavior. Dr. William Healy of Boston says "The individual cannot be studied apart from his setting, his environment, any more than a biologist can hope to know what conditions the behavior of a starfish by studying it in fresh water or as taken from a laboratory jar of alcohol." Where clinics for mental and physical study of children are available those who do not need detention for the purpose of safe keeping should attend by appointment from their homes.

(c). Neither should children be detained as a matter of discipline or punishment. Good probation work will go much farther than any short sentence to the detention home. The use of the home for this purpose is simply an admission that the court or the probation officer do not know the first principles of probation work.

Only such children whose home conditions are so bad as to demand immediate removal, or who are entirely beyond the control of their parents, or who would endanger public safety if not confined, should be detained in a county detention home, or a family home as suggested above, and then only for a short time, while a solution of the case is being worked out.



**After Arrest the Probation Officer seeks Information and Enlists the Mother's help
—Courtesy Municipal Court of Philadelphia and National Probation Association**

Chapter V

STUDYING THE CASE

25. Elimination of Trivial Cases.—If discussion with the arresting officer or the petitioner does not convince the probation officer that the case is serious enough for further consideration he should talk the matter over informally with the child and the parent, summoning them to his office if necessary. Even though the charge may be trivial, the officer should inquire whether the child's surroundings and habits are satisfactory. In many instances it will be easy to ascertain that the case does not need a lengthy investigation, and should be promptly dismissed.

26. Investigation of Circumstances Leading Directly to the Complaint.—This calls for interviews by the probation officer with the arresting officer, or the petitioner, witnesses and the child. It should be the occasion for seeing that the petition is properly filled out, that all the facts in the possession of the officer or petitioner are carefully recorded. To this should be appended the child's statement of the reasons for being brought into court.

The object is not particularly to establish the guilt or innocence of the parties, but to secure clues as to the underlying factors in the state of delinquency, dependency or neglect, which may be followed up in the complete investigation.

27. Study of the Social Factors in the Child's Life.—"This is the phase which is most important, and yet one of the weakest points in the work of most juvenile courts. There are few courts where investigations are systematic, uniform and impartial. Cases are often rushed through, and the facts learned afterwards. It is better to continue the case if by that method a painstaking investigation takes the place of a hasty slipshod inquiry." The following extract from "Probation in Children's Courts" by Charles L. Chute, Secretary, National Probation Association, (Children's Bureau Publication No. 80.) gives a sympathetic presentation of the task:

"When a probation officer receives a case for investigation he has a very difficult and responsible task to perform. The petition or complaint tells him little. Take a concrete case: A mother has come to the complaint department, directed thither by a policeman or social worker; she has made affidavit that her boy of 16 is incorrigible. She has stated that the boy's father is dead; that there are

several other children; that the boy stays out nights, will not work, and is beyond her control. The petition is received and the case is referred to the probation officer to make an investigation. The officer goes to the home, sees the mother, and obtains her full story. He notes conditions in the home and neighborhood. He sees the boy alone. He learns the condition of the other children. By discreetly interviewing present neighbors and neighbors at former addresses, hunting up relatives who are available, and seeing others who know the family, he learns the general reputation, past history, and something of the antecedents of the family. The officer may then visit the employer and previous employers, the school which the boy last attended, the church, and any other social-service agency which knows the family. *The names of any such agencies may be secured by registering the case, as soon as the petition is filed, with the confidential social-service exchange of the city.

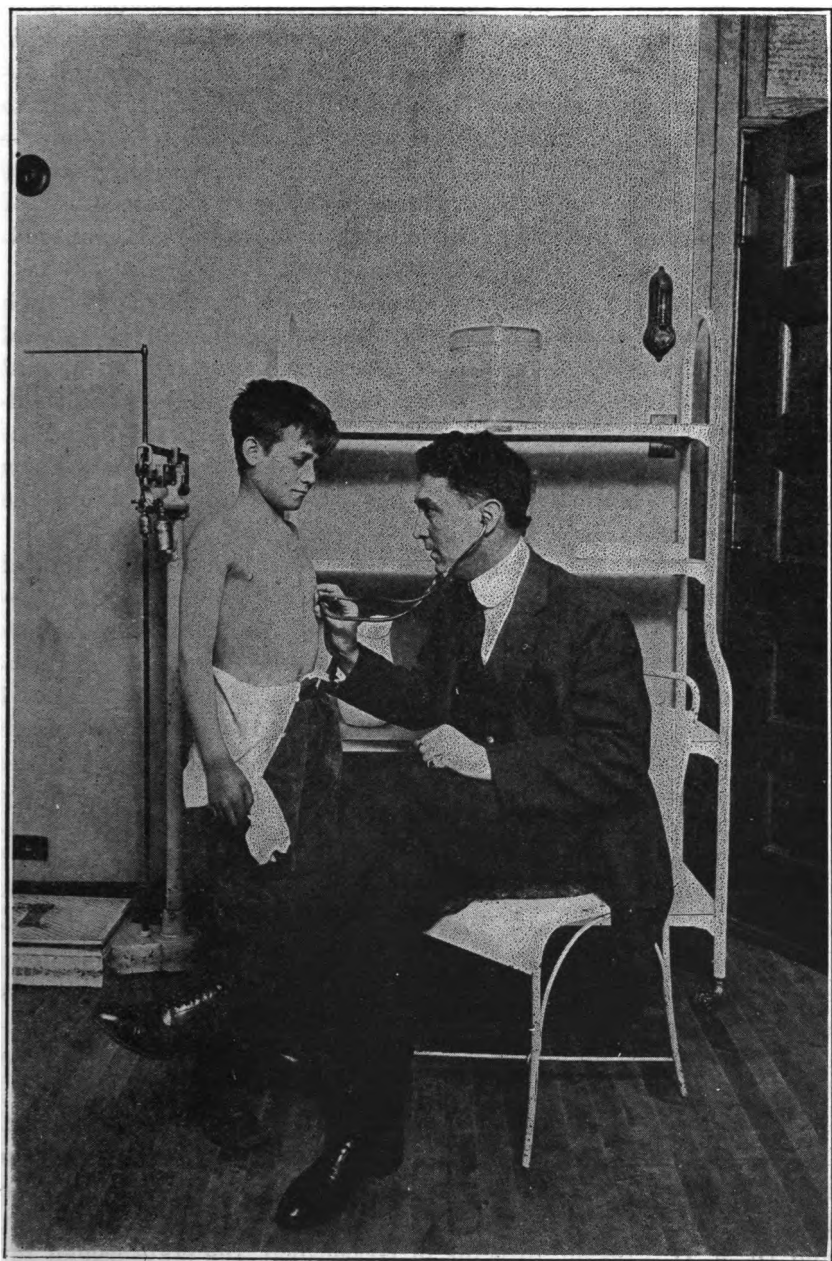
"Many unsuspected facts are revealed by the field investigation; many times, in fact, conclusions are reached which are entirely different from those that would have been reached through merely seeing the entire family in court. Such facts as these are discovered: Bad housing, immoral neighborhood, antagonism and quarrelsomeness between members of the family, lack of discipline, or too much of it, and so on. The probation officer has many things to decide. His written report usually determines whether the judge will give the boy a chance to make good in his own home under probation or whether he will do as the mother may suggest—send the boy away for a long time to the State industrial or reform school.

"Having obtained all these facts, which vary in the infinite range of human complexities, the probation officer must prepare a full written report. This must state all important facts, not overemphasizing any. It must state facts and not opinions, though opinions will undoubtedly color it. It is impossible for any court, even if it were desirable, to get away from the opinions and recommendations of the probation officer. The essential thing is that these be founded on careful study of the case, fairness, accuracy, and good judgment.†

"There is a peculiar investigating knack. It consists of the ability to grasp facts quickly, possession of a great deal of tact and diplomacy, unusual memory, ability to get around quickly and to "get in." It also requires a sympathetic approach. In any case the investigator, like the supervisor, should be a real social worker, actuated by genuine sympathy and a spirit of service."

* In Atlanta, Macon, Savannah and Athens.

† Investigation forms will be furnished, at moderate expense by the State Department of Public Welfare.



"An Examination Shows Good Health and Sound Mind."
—Courtesy Municipal Court of Philadelphia and National Probation Association

28. Physical and Mental Examinations.—As a part of the probation officers study of the case a careful physical examination of the child by a competent physician should not be overlooked. Wherever tests have been made a high percentage of physical abnormality has been shown. Even where the child may appear to be in normal health, examination has revealed defects which may be the direct cause of delinquency. There is no question but that the correction of these defects, as well as a physician's prescription of changed habits or diet, will often entirely remove the unsocial tendencies.

Where a careful physical examination is given regularly through the school system this record may be obtained from the school authorities. Otherwise it will be necessary to arrange with local physicians to donate their services. In the larger centers the children may be taken to the health center or clinic. Every child whose case is found to be serious enough for court action should be given this physical examination before the case is brought before the judge.

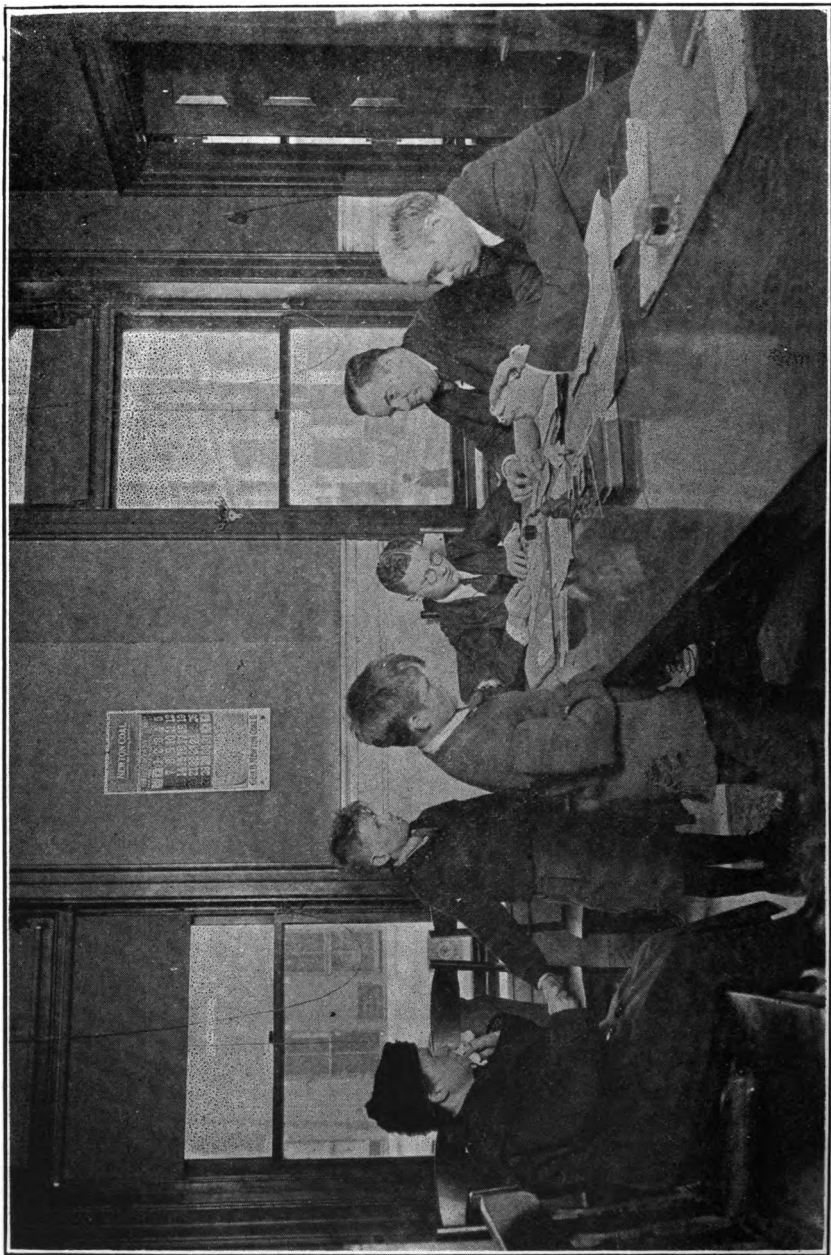
Mental examinations present a more difficult problem: Decided cases of feeble-mindedness or insanity will be detected by the probation officer and the practising physicians. In communities which are fortunate enough to have a physician who is capable of treating mental derangements, or a psychologist in its public school system, such examinations will greatly assist the probation officer in dealing with them most effectively. "Though a majority are inherently normal, they are abnormal in conduct at least. They are "unbalanced," suffer from emotional instability, mental repression, extreme diffidence, or exaggerated ego, have feelings of imaginary superiority, or social isolation. These personality defects are often responsible for imperfect life adjustments. There is need to search out and develop appropriately the basic instincts and deep emotional undercurrents which have so much to do in shaping personality, determining character and controlling conduct. The probation officer must do this, seeking all the assistance he can from available experts".

At three Georgia centers this expert advice is now available. The Anti-Tuberculosis association in Atlanta has a mental clinic in connection with its other clinical work. Dr. N. P. Walker of the Milledgeville sanitarium, conducts a clinic in Macon twice monthly, and Dr. J. H. Preston, director of Gracewood, the state school for Mental Defectives near Augusta, is willing to make examinations for Juvenile court officers by appointment. The courts in these three cities should have every suspected case examined, while

courts in other parts of the state should use these clinics where there is evidence of mental derangement, or border line cases of feeble-mindedness.

A word of warning should be spoken against the quack in this field. Georgia has its quota of self advertising fakirs who have gotten hold of some of the test systems and announced themselves as educated psychologists. It is this type which has so often brought the field of mental hygiene into ridicule.

A careful record of physical and mental examinations should be kept and filed in the court records on forms which will be supplied at moderate expense by the Department of Public Welfare.



THE INFORMAL COURT SCENE
Nothing Which Smacks of Prosecution or Inquisition is Permitted
—Courtesy Municipal Court of Philadelphia and National Probation Association

Chapter VI

Trial in Court

29. Presentation of Investigations to the Judge.—Following the foregoing careful study the probation officer will present the case to the judge through typewritten statements on clear simple forms. “Lengthy wordy explanations are thus avoided and the court has a permanent uniform record. A large portion of the evidence given by probation officers in juvenile courts is a mass of opinions and conclusions. The only way to avoid testimony so manifestly unfair and absolutely valueless is to secure the full facts in advance as accurately as possible and put them in writing.”

The judge will then have before him the usual legal papers, including the complaint, the statement of the arresting officers, or petitioner, the preliminary interview of the probation officer with the child and parents, the report of the probation officer's investigation, the report of the physical and mental examination of the child. Having acquainted himself with this material, and questioned the probation officer on any doubtful points, the judge is ready to issue summons for the hearing to the child, its parents or guardians, witness, etc. In many instances these may be summoned informally by the probation officer, but when necessary the court may use the customary formal summons, and attendance may be enforced (Appendix, Section 900 (f).). Failure to obey summons is criminal contempt (Appendix, Section 900 (g).).

30. Hearing in Private Chambers.—“The hearing should in all cases be in private chambers (Appendix, Section 900 (k).). All merely curious spectators should be barred. Only persons involved in the case should be admitted. One child should never be permitted to hear the story of another. Newspaper reporters should not have access to the stories of children. Managing editors, when their attention has been called to the evils which result from publicity of children's troubles will willingly withdraw their reporters from children's courts. The judge's desk should be so arranged that the child's head will be on a level with the judge's and close by him. The clerk or the sheriff should not occupy the conspicuous positions which they do in the ordinary court room, as their services are relatively unimportant. However, the court should guard against the criticism of star chamber sessions. The parents of a child should be present during a child's hearing, although they can, at times, be seated at such distance as to allow confidences be-

tween the child and the judge. The probation officer should be present whenever possible."

31. Formalities Eliminated.—As provided in the Act, "The court may (and should) conduct the examination of witness without the assistance of counsel. The judge's task is not primarily to establish the guilt in the particular instance, but "to inquire into the habits surroundings, condition and tendencies of said child to enable the court to render such judgment as shall best conserve the welfare of said child "(Appendix, Section 900 (h).). A lawyer does not occupy his usual position as attorney for the defense or prosecuting attorney except where an adult is on trial. However, it is easily possible to make the attorney an ally of the court, and enlist his aid in securing the real welfare of the child. It is important that the court educate the bar to understand its functions and co-operate in protecting child life. The probation officer or the clerk should take notes of any valuable evidence, and carefully preserve them afterward in the permanent record of the case. The hearing, with the witnesses, relatives and complainants all grouped around the judge, often brings out facts which could not otherwise be secured.

32. Hear Child's Evidence First.—"Before any other evidence is secured the child's own story should be heard. In many cases, where this is done it will not be necessary to hear any other witnesses. The important thing in the hearing is to get the truth from the child. After an array of witnesses have testified the child is apt to take refuge in evasions." (Baldwin and Flexner "Juvenile Courts and Probation".)

The criminal judge's practise of delivering an address from the bench should be eliminated. The judge will do well to let the witness do most of the talking, and deliver his judgments quietly to those affected. The administration of the oath may be valuable in some cases with adults but should be discarded as useless and confusing formality in dealing with a child. Any form of procedure which smacks of prosecution or inquisition puts a child in a position of defense and is incompatible with the Juvenile court idea.

Whenever the evidence bears upon the parent's failure, delinquency or neglect, the child should retire.

33. Frequency of Hearings.—The frequency of hearings will depend upon the completion of the study of each case. Not more than a day should elapse after the probation officer is ready for the hearing. The court should be ready any day to take up a case. A regular hour set for hearings every day is much more satisfactory

to children, parents and probation officers than a six hour hearing one day a week. A definite fixed time of the day for all hearings should be set and strictly adhered to.

34. Woman Referee in Girl's Cases.—In most cases of girls, especially those involving immorality, the judge should associate with him a woman referee, a woman probation officer, or other well equipped woman in the community, who will act in his capacity in hearing the evidence of the girl and any women witness, and make a report thereof, together with her conclusions and recommendations. (Appendix, Section 900 (cc).). If no exception is taken, and no review requested, this recommendation becomes the judgment of the court, and the judge need not come in contact with the girl. The value of this provision in the law should be realized, and the good women of the community should insist upon its being observed.

Chapter VII

JURISDICTION OF THE COURT

35. Court Order Protects Best Interest of Child.—When the juvenile court has secured the facts regarding the “habits, surroundings and tendencies of said child to enable the court to render such order or judgment as shall best conserve the welfare of said child, and the court, if satisfied that the child is in need of the care discipline and protection of the court may so adjudicate, and may, in addition, find said child to be in a state of delinquency or neglect, and may render such judgment and make such order or commitment according to the circumstances of the case as will best conserve the purpose of this Act “(Appendix, Section 900 (h).).

Thus the question of guilt or punishment is eliminated, and the court is free to make the best plan for the child's future. The act specifically stipulates that the child shall not be considered a criminal, nor deprived thereafter of his rights as a citizen to hold public office. (Appendix, Section 900 (l).).

Any order of the court may be changed or modified or revised at any time (Appendix, Section 900 (aa). Thus the hard and fast rules of criminal procedure are eliminated.

36. Jurisdiction of the Court Limited.—According to the best authorities the juvenile court should have exclusive jurisdiction over:

a. All delinquent, dependent or neglected children under 16 years of age, except capital offenders. (In Georgia all such cases may be tried by the Juvenile court, but the Superior court may try them also.)

b. All children who are the subject of controversy of any suit between their parents or other parties. (In Georgia such cases do not come under the Juvenile court.) (See paragraph 41).

c. All parents or adults who contribute to the delinquency or neglect of any children. (In Georgia it is impossible to try such felony cases and difficult to try misdemeanor cases in the juvenile court, although by warning of proceedings which may be taken in other courts, such contributory practises may sometimes be corrected. (See paragraph 46)

It will thus be seen that the jurisdiction of the Georgia Juvenile court is limited, but inclusive enough to be of incalculable service.

37. Concurrent with Superior Court.—The Juvenile court law, as passed in 1915 and amended in 1916 undertook to give the Juvenile court **exclusive** jurisdiction in the cases of all delinquent destitute or neglected children under sixteen years of age, except in crimes punishable by death or life imprisonment; and misdemeanor cases against parents or persons contributing to the delinquency, destitution or neglect of children. Appendix, Section 900 (a) (b).).

However, the state constitution gives the Superior court concurrent jurisdiction in all misdemeanor cases, and exclusive jurisdiction in felony cases,—that is cases in which the offender may be sentenced to imprisonment in the penitentiary. No action of the legislature can deprive the Superior court of its constitutional jurisdiction.

The supreme court has decided (147 Georgia Reports, Pg 491) that a child who has committed a felony may be tried in the Juvenile court, inasmuch as the child is not really tried for a felony, but for “being in a state of delinquency.” Having once been tried by the Juvenile court, however, he could not be held to the Superior court, as he could plead former jeopardy.

It will thus be seen that the juvenile court has concurrent jurisdiction with the Superior court in all cases of child delinquency, (except capital offenses) both misdemeanors and felonies. It is indeed unfortunate that this jurisdiction is not exclusive to the Juvenile court.

38. All Cases Should be Referred to the Juvenile Court.—While there can be no question about the jurisdiction of the Superior court in children's cases, there is no reason for children ever being brought before the grand jury, or held for such trial as criminals. If the arresting officers and magistrates will, in the interests of the child, follow the method set forth in the Juvenile court act (Appendix, Section 900 (n).) by turning the child with the papers, over to the Juvenile court, and filing a petition stating the facts, the child may immediately come under the beneficent influence of that court, and be handled, not as a criminal, but as a ward of the state. It is important that the arresting officers and justices of the peace of this state acquaint themselves with this procedure, and thus cooperate in making the Juvenile court system effective.

39. Illegal to Detain in Jails.—In fact, the detention of children under sixteen awaiting trial (except capital offenses) in jails is positively illegal, and has been so ruled by the Attorney General

(October 27, 1920). The Juvenile court act provides that "no child coming within the provisions of this act shall be detained in, or committed to a jail, or common lockup, or any other place where such child can come in contact at any time or in any manner, with adults convicted or under arrest" and further, "children shall be kept separate and removed from any jail, lockup, or other place of imprisonment where adults are confined" (Appendix, Section 900 (s) (00)), except (in counties of less than 60,000 population) on order of the Judge of the Juvenile court. No juvenile judge would use this privilege except under extraordinary circumstances.

In case a child is illegally confined in jail awaiting trial any citizen in the community may secure a lawyer and institute proceedings to have him released and his custody transferred to the Juvenile court. This procedure has not been followed in this state, but some of the best lawyers express the opinion that it is perfectly feasible. Therefore if the humanitarian element in any community is sufficiently alert there is no excuse for a child being allowed to remain in jail.

If an arresting officer persists in locking children in jail the interested citizens should institute appropriate proceedings in the Superior court, to stop the practice.

40. Ordinary and City Courts Deprived of Jurisdiction.—There is also confusion of jurisdiction with regard to destitute and neglected children. This was entirely transferred by the Juvenile court act of 1916 from the courts of ordinary, and since the constitution does not give the ordinary's court exclusive jurisdiction of any kind, the care and protection of destitute and neglected children, except appointment and removal of guardians is no longer a function of the Ordinary's court, but exclusively of the Juvenile and Superior courts, and should, of course, be handled by the Juvenile court alone. (Except the counties in which the Ordinary's court has been designated to act as Juvenile court).

There is absolutely no excuse whatever for city and county courts hearing cases of children, as the Juvenile court act of 1916 entirely deprived them of such jurisdiction. In spite of this fact they have continually ignored the law. It is true that no Juvenile court has been designated in many counties, but this does not give the city court the right to continue to exercise rights of which it has been deprived by law. Where there is no juvenile court in a county, children's cases, under the law, can only be considered by the Superior court (Appendix, Section 900 (a) (b).). Children senten-

ced to prison by a city court may be released by instituting proceedings citing the Juvenile court act.

41. Suits Involving Custody of Children.—Legal controversy between parents or other parties over the custody of a child except where neglect or abuse is involved is under the exclusive jurisdiction of the Superior court. Divorce cases involving the custody of a child are all heard before the Superior court. Nevertheless no child need remain under improper guardianship or control as at any time an interested party may file a petition calling the attention of the Juvenile court to mistreatment or neglect of the child and custody may then be decided, as between parents, relatives or others, for the best interests of the child. (Appendix, Section 900 (c) (h).

42. May Appoint Guardian.—Upon application of the relatives or friends of the child, or upon the court's own motion, the Juvenile court may appoint a guardian of the person or property of the child whenever it appears that such action is necessary to guard the child's welfare. (Appendix, Section 900 (ii).). The same laws govern appointment and powers of such guardian as when appointed by the Ordinary. See Sections 3031-3116 Parks Code.

43. Issuing Legal Adoption Papers.—Only the Superior court has jurisdiction in the issuance of permanent adoption papers to foster parents who wish to adopt a child legally. (Section 3016-Parks Code). Such legal adoption, however, should never be permitted until at least six months after the child has been in the home of the foster parents, and the court is satisfied that it is happily located, properly adjusted to its new home and well cared for. Even the best home in the community will be found to be unsuitable for some children. A trial period under observation is essential.

The Juvenile court should not undertake to place children in foster homes. (See Section 56 par. 3).

To adopt a child a petition should be filed in the Superior Court in the county in which the child lives, including in the petition the name and consent of the father, or if he be dead or deserted, of the mother, and after publication as in equity cases, and the court being further satisfied that the adoption will be for the best interests of the child, the court shall issue adoption papers, making the child the legal son or daughter of his foster parents, capable of inheriting and in every other way the same as a natural child. Relatives may file objection to such action which will be considered by the court. (Sections 3016-3017 Parks Code).

44. Medical Care May be Enforced.—Whenever a child in the court appears to be in need of material care the Juvenile court may cause the child to be examined by the health officer or any licensed physician, and may place the child in a hospital for treatment, the expense thereof to be paid by the county and collected in a suitable action from the parents or persons liable for the support of the child. (Appendix, Section 900 (ff).).

45. Restitution of Damages.—The court should require the probationer to make restitution in a reasonable amount to be fixed by the court of actual loss or property damage caused by the delinquent (Appendix, Section 900 (jj.)). This should be paid in installments through the probation officer,—never directly to the aggrieved party. Accurate records of all moneys collected should be kept by the probation officer, receipts given therefor, and monthly reports filed with the court.

46. Prosecution of Adults Who Contribute.—In the prosecution of adults who contribute to the delinquency or fail to properly feed, clothe and care for their children, the Georgia Juvenile court act is unfortunately weak. The court is given jurisdiction in misdemeanor cases only, and then, in every case, a jury trial is compulsory. (Appendix, Section 900 (kk).). This weakness in the law handicaps the Juvenile court in using compulsion to bring parents or guardians up to their duty. It has become evident that in a large percentage of cases of child delinquency, the parent, and not the child, is the real criminal, and needs to be disciplined at the time the child is in trouble. Until the law is changed it will be necessary that probation officers or interested parties bring prosecutions in felony cases by swearing out a warrant against such offending adults in other courts of record.

Had the jury trial not been made mandatory most misdemeanor cases against adults could be heard by the Juvenile court, without a jury, as in other courts failure to demand jury trial is equivalent to waiver. Of course the Juvenile court can try misdemeanor cases but must summon a jury in every case.

"We can never hope to solve this problem until we vest in one and the same court having criminal and equitable jurisdiction,—the power to hear the child's case and to punish if need be the adult, be he parent or stranger, who is responsible for the appearance of the child in court" (Flexner).

However, Juvenile judges and probation officers in Georgia in every case of an adult contributing to a child's delinquency or neglect should secure all the facts, present them informally to the

adult and use moral suasion to correct the contributory practices, if necessary setting a date after which, if conditions are not remedied, prosecution will be started. This will approximate probation and can be used most effectively.

47. Verification of Age.—Occasionally parents or others endeavoring to interfere with the court's disposition of a child, will claim that the child is sixteen years of age or older, and therefore not within the jurisdiction of the court. In cases of children born since 1919 it should be possible to verify the age by consulting the registrar of vital statistics, who is the city clerk in cities and towns, and the justice of the peace in militia districts. Since 1919 it has been required by law that every birth be registered by the physician, midwife or person attending. (Section 1676 Park Code). If the child has been at work a child labor certificate may be found in the office of the employer. The school record, showing the age given by the child on succeeding years may be helpful. The parents should be able to present a Bible or other record to establish the age. The personal appearance of the child is recognized as evidence of age in court procedure.

The burden of proving the child to be under sixteen rests upon the probation officer, but any or all of the evidence mentioned above may be brought to disprove the parent's testimony.

Chapter VIII

LAWS FOR PROTECTION OF CHILDREN*

48. Enforcement of Proper Support in Institution.—The law provides. (Appendix, Section 900 (ee)). that the Juvenile court shall assess the cost of caring for a child by an institution or other custodial agent upon the parents, or persons having the duty of supporting the child, and persons failing to comply are guilty of contempt and payment may be enforced. Thus deserters and immoral parents may be compelled to pay for the board and upkeep of their children in institutions, and well intentioned persons may be required to pay such part of the child's expenses as the court determines they may be able to pay. These payments should be made through the probation officer receipted, recorded, and accounted for in monthly reports to the court.

49. Forcing Parents to Support Child.—Children should not be placed in an institution, however, except as a last resort. Where there is any possible chance to save the home effort should be made to persuade the deserter, or the shiftless father to make regular payments through the probation officer toward the support of his family. If he refuses to do so without court action either the Juvenile court should empanel a jury or the probation officer should proceed to bring action in the criminal court.

Until majority (age 21) it is the duty of the father to provide for the maintenance, protection and education of his child (Section 3020 Parks Code). This duty devolves upon the widow, or guardian in case of the father's death, or the divorced mother to whom custody of the child has been granted. If the father willfully abandons his child, leaving it in a dependent condition he may be prosecuted for a misdemeanor, and the wife may testify against him. A child is considered dependent when the father does not provide sufficient clothing and food for his needs. Abandonment consists of both separation from, and failure to provide necessities for the child. (Section 116 P. C. Parks Code.) Where the father does not abandon, but fails to support he may be prosecuted for vagrancy if he is not working, (Section 449 P. C. Parks Code) and the court may place him on probation, and require him to pay a regular amount for the support of his family through the probation officer. (Section 1081 (a) P. C. Parks Code). When the father has left the county, or the state, if apprehended, he may be brought back to answer a

*This chapter is written with the rural counties in mind,—counties in which the probation officer must necessarily engineer the handling of all kinds of problems. Where there are specialized agencies the court should always refer cases to the agency which is equipped to render services.

criminal charge, but not a civil suit; If he has left the state requisition papers must be secured from the Governor (Section 1357 Parks Code) and the county commissioners must insure the payment of the expenses. Some county authorities refuse to authorize this expenditure unless the court makes it a practice to have the father reimburse the county by working on the chaingang. If possible, however, the father should be put on probation, and required, not only to reimburse the county but to support his family as well. (For Adult Probation law see Appendix). If either parent of an abandoned child is able to provide for it and fails to do so, the county may provide for the child and recover the expense by entering suit for the amount expended. (Section 554 Parks Code).

50. Estrangement and Divorce.—The difficulty in the home which may be causing the delinquency or dependency of the child before the Juvenile court will often be traced to differences, or estrangement between father and mother. The court and probation officer will endeavor to discover the true facts, and wherever there is probability that the home can be reconstructed, effort should be made to reconcile the couple.

Divorces may be granted only by the Superior Court. They are classified as of two kinds,—total, or from bed and board but without right to remarry. The concurrent verdict of two juries is necessary for total divorce, while a divorce from bed and board may be granted by the verdict of one jury.

Grounds for total divorce are listed as follows;—intermarriage by persons within the prohibited degrees of consanguinity and affinity, mental incapacity at time of marriage, impotency at time of marriage, force, menaces, duress or fraud in obtaining the marriage, pregnancy of wife at time of marriage unknown to husband, adultery in either of the parties after marriage, willful and continued desertion by either of the parties for the term of three years, the conviction of either of the parties for an offense involving moral turpitude and under which he or she is sentenced to imprisonment for two years or longer.

Grounds for partial divorce,—divorce from bed and board—are those recognized by English Courts prior to May 4, 1784. In case of cruel treatment or habitual intoxication the jury may in their discretion, grant either a partial or total divorce.

In cases of collusion of the parties, or if the complainant was consenting to the misconduct, or if both parties were guilty of like conduct, no divorce may be granted. The respondent may, in defense bring counter recriminating charges, and if the jury believe such party is entitled to divorce instead of the libellant, they may

so find. The jury may provide permanent alimony for the wife. Pending the trial of a divorce case, or when no such suit has been filed, the husband may make voluntary provisions for the care of wife and children, or the wife may petition the court for temporary alimony which the judge of the Superior court may grant, after hearing, using his discretion as to the amount. (Section 2944-2991 Parks Code).

51. Protection of Illegitimate Children.—The Juvenile court should be especially active in the protection of mothers and children, where the children are born out of wedlock. The court is required, upon petition being filed, to investigate and make the necessary adjustment of the case of any child under sixteen who is under such condition or surroundings or under such improper or insufficient guardianship or control as to endanger its morals, health or general welfare. (Appendix, Section 900 (b).). Many illegitimate children are born under such conditions.

The first effort should be to persuade the unfortunate mother to nurse her baby at least six months, and to make arrangements for her to keep it. This is often exceedingly difficult, but it is a matter of life and death for the child, as failure to give the child breast feeding reduces its chance of living immeasurably. If the mother is reached before child birth there should be prompt examination for venereal disease, so prevalent in such cases,—and if discovered early enough, the child may be saved from infection. The mother should be persuaded to confide in relatives or friends whom she can trust. If possible she should divulge the name of the father. Marriage should never be forced unless there is a reasonable assurance of its resulting happily, but the father should if possible be forced to bear all the expenses of confinement and support of the child after birth. In finding a place for the mother's confinement the so called commercial "maternity homes" should be avoided, as they are commercial institutions where the influences are immoral, and the mother is persuaded to give up her child. Either procure her admission to a charitable institute (write this department for suggestions) or she might stay with friends or relatives or board in another community, and enter a standard hospital for delivery.

In either instance this department will be glad on request to put a social worker in the community where she goes in touch with the case to give her advise and assistance.

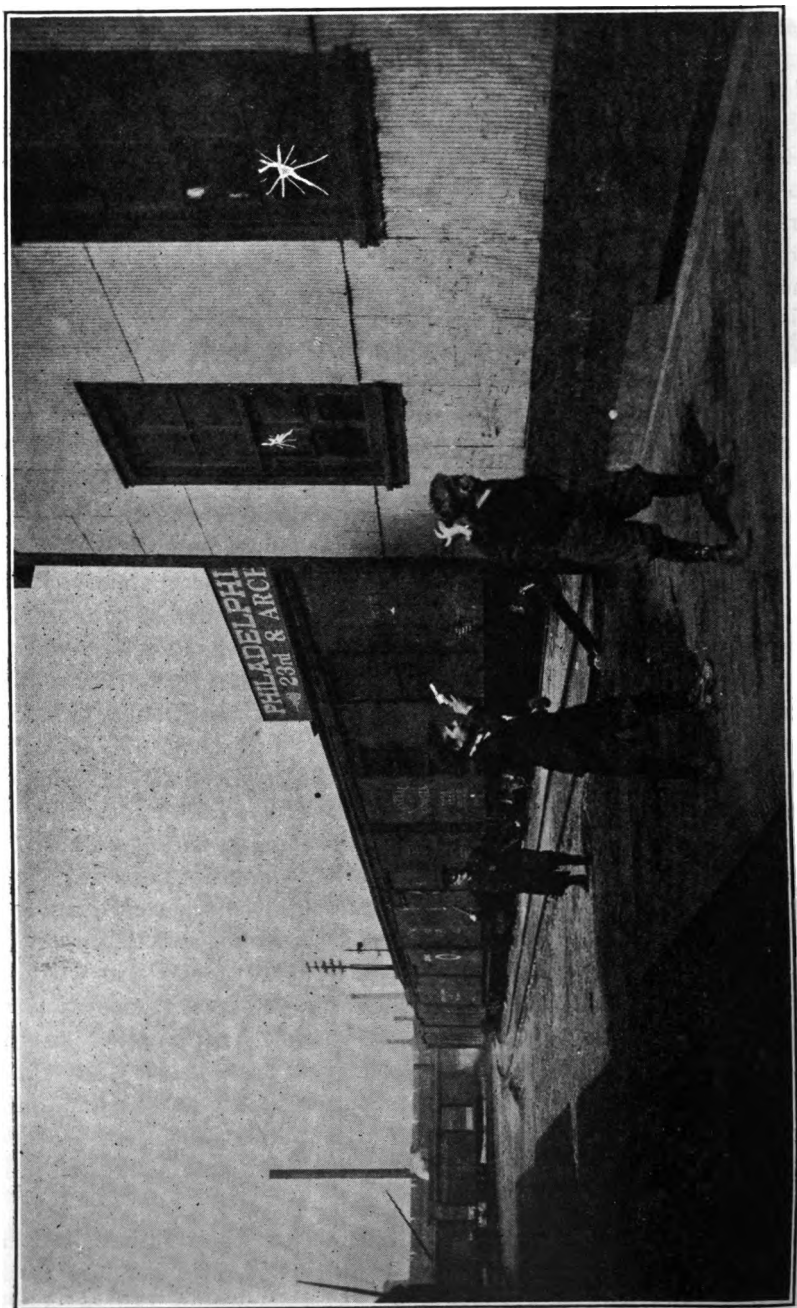
If the mother keeps the baby a few months, and receives the proper encouragement, mother love, aided by friends, and the

juvenile court as far as possible, will find a way for her to keep it permanently. The possible ways cannot be listed here, but they range from going to another city to live, to having parents adopt the baby into their own home as from an orphanage or child placing society. If no possible means of the mother keeping it can be found, the Georgia Children's Home society Atlanta will take the child for adoption. There will be cases of pronounced degraded or immoral mothers where the child should be taken as soon as the nursing period is over. Children of pronouncedly feeble-minded mothers, however, should not be adopted out permanently. For discussion of handling such children see paragraph 56.

The only legal procedure possible under Georgia laws, gives very little aid to the mother. Upon oath being filed with a justice of the peace that the woman is with child, or has given birth to a child born out of wedlock and that its support is likely to become chargeable to the county, the justice may have the mother brought before him, and if she discovers on oath the father of the child, the justice shall issue a warrant requiring the father to be brought before him. The putative father may give bond for the maintenance and education of the child until it is fourteen years of age, and for the expense of the mother's confinement, but if he fails to give such bond, the justice shall bind him over to the grand jury. The mother must also make bond to the sum of \$750 with the Ordinary, for the maintenance and education of the child, or discover the father of the child, and give such security as may be required of her to appear against the father in the Superior court. If she fails to make known the name of the father, or to give the security, the court may imprison her for three months. The father's bond is returned to the Ordinary of the county, who, when the child becomes chargeable to the county, shall institute action upon the bond, and expend it for the support of the child. (Sections 1330-1336 P. C. Parks Code.)

The above procedure is calculated to protect the county from bearing the expense of the child, and might be used where mother and child are sure to become a county charge, but it does not in any way help to secure adequate support for mother and child, where the mother is not a subject for pauper support. Its existence, however, might help to bring the father to assume his responsibilities.

Illegitimate children may not inherit from their father, but may inherit from their mother, or each other. If, however, the father petitions the Superior court for the legitimating the child, the court may issue such order, and the child will have the same status as if legitimate. (Sections 3013, 3029 Parks Code).



A "DARE" LEADS TO THE FIRST CRIMINAL ACT
—Courtesy Municipal Court of Philadelphia and National Probation Association

52. Compulsory School Attendance.—While the school attendance officer, required by law in each county, should enforce the compulsory attendance law, and bring prosecutions against parents in the courts when necessary, whenever failure to attend school contributes to the delinquency of a child before the juvenile court, the probation officer should enlist the aid of the attendance officer, and this failing, endeavor to get the Board of Education to institute proceedings against the parent when it is impossible to secure co-operation from the home in any other manner. This can be done in the Juvenile court with a jury or in a criminal court.

The compulsory attendance law requires six months school attendance continuously by children ages 6-14 inclusive, until the seventh grade is completed, unless excused by the county or city board of education. Such board may excuse for farm labor and other "good reasons."

Before prosecution can be instituted, the law requires that the parents must be given ten days notice in writing by the county or city Board of Education. The parent, if not previously convicted for the same offense, may then prevent prosecution by making bond of \$50.00 to the Ordinary to faithfully comply in future. Each day's wilful failure to comply, after the ten days notice comprises a separate offense, punishable by fines, not to exceed ten dollars for the first offense, and twenty dollars for each subsequent offense. The court may suspend punishment if the child be immediately placed in school, and may remit if the full six months attendance required is complied with.

Each county and municipal Board of Education is required to have an Attendance officer, to be paid not more than three dollars nor less than one dollar per day for the time actually at work. Such attendance officer must be employed and enter upon his duties before the county or city can receive their quota from the state educational funds. (Sections 1477 (a) (f) Parks Code Supplement 1917.)

53. Child Labor Law.—Issuance of certificates under the state child labor law rests with the superintendent of schools who must not issue a labor certificates to any child under twelve years of age, and only to such children between twelve and fourteen and a half years whose widowed mothers are dependent upon them for support, or who are orphans (both parents dead) dependent upon their own labor for support. Other children between fourteen and fourteen and a half years cannot receive work certificates unless they have attended school twelve weeks of the twelve months preceeding.

Work certificates are good for only six months, after which they must be renewed. No child under fourteen and a half may work at night between 7 p. m. and 6 a. m. in any mill, factory, laundry, manufacturing establishment or place of amusement, and no minor under sixteen years may be employed in messenger service between 9 p. m. and 6 a. m. Parents and employers are guilty of a misdemeanor for failure to comply with the act. Whenever violation of the child labor law contributes to the delinquency of a child before the Juvenile court the superintendent of schools, and the State Commissioner of Labor, the Capitol, Atlanta, should be notified. (Section 2141 (a) (m) Parks Code.)

If the violation is not promptly handled when reported, the probation officer should prosecute the employer and handle the parents as suggested for failure to attend school. This can be done in the juvenile court with a jury or in a criminal court.

The child labor law of the federal government imposes a tax of ten per cent on the entire net profits of a manufacturing establishment doing interstate business during the year in which it employs children under 14 years or between fourteen and sixteen who work without a certificate issued by the Internal Revenue officer, Atlanta, or more than eight hours per day, or more than six days per week, or after 7 p. m. or before 6 a. m. Even a threat to report violation of the federal law to the United States Revenue Officer in Atlanta will usually secure co-operation from an employer whose product enters interstate commerce. (This law is now before the Supreme Court and may be declared unconstitutional.)

54. Prosecution for Crimes Against Children.—The Probation officer should be vigilant to see that persons guilty of offenses against children are prosecuted and that the evidence is gathered and properly presented. Special effort should be made to protect the child from degrading experiences in court. Whenever the evidence in a case is vulgar or obscene, or relates to the improper acts of the sexes and tends to debauch the morals of the young, the presiding judge has the right in his discretion or on motion of the attorneys for the defense, to clear the court room of all or any portion of the audience. (Section 5885 Parks Code.)

The Georgia laws outlining crimes against children are briefly presented herewith;

Persons counseling or encouraging a child under the age of ten years, or an idiot or lunatic, to commit a crime shall be punished as if they had committed the crime. (Sections 34-37 P. C. Parks Code.)

Crimes against Unborn Child.—Causing abortion in a pregnant woman, unless necessary to preserve the woman's life, is punishable as a misdemeanor. If the child is advanced so far as to be ordinarily called "quick" and the abortion results in the death of the child or mother, the person causing it is guilty of an assault with intent to murder. Foeticide, or an effort to kill the unborn child by injuring the mother, is punishable by death or life imprisonment. Any person who advises or directs a woman to kill her unborn child—if she kills the child after delivery—may be punished as for murder, as well as the mother. Concealment of the death of a child is not ground for indicting a mother for murder, unless it can be proven that the child was born alive, or other conclusive circumstances convince the jury that she did wilfully destroy the life of the child. Concealment of the death of an illegitimate child by natural causes, is a misdemeanor.

(Section 77-82 P. C. Parks Code)

Sexual Crimes and Kidnapping.—Any person who violates a female under fourteen years, (the age of consent) unless previously lawfully married to the child, shall be punished by death. However, the jury can recommend that the crime be reduced to a misdemeanor, whereupon punishment will be made on that basis. The unsupported testimony of the female in question is not sufficient to convict. (Bill 291, Acts 1918). Publication of the name or identity of a female who has been raped is punishable as a misdemeanor.

Kidnapping is defined as forcibly abducting or stealing away any person, without lawful authority or warrant, and sending or conveying from this state or any county thereof, or forcibly, maliciously or fraudulently leading, taking or carrying away, or decoying or enticing away, any child under the age of eighteen years from its parent or guardian, or against the parent's will, or without his consent. Kidnapping is punishable by imprisonment in the penitentiary for not less than four or more than seven years.

Any person who shall decoy, entice, or cause an inmate of any child saving institution of the state to leave or abscond without permission, or who knowingly harbors, or encourages such child, is guilty of a misdemeanor.

Seduction—by persuasion and promise of marriage or other fraudulent means, inducing a female to yield—is punishable by imprisonment and labor in the penitentiary for not less than two nor more than twenty years. Prosecution may be stopped by marriage, the seducer filing bond to support his wife, or if unable to give

bond, prosecution will be suspended five years. (Sections 378, 379 P. C. Parks Code.) Seduction is based on confidence and affection which engagement has engendered. Unless this is proven, the crime is fornication. Adultery and fornication are punishable as a misdemeanor (Section 372 P. C. Parks Code.)

Keeping lewd, disorderly, gaming, opium houses is a misdemeanor. (Sections 382-384 P. C. Parks Code.) Soliciting for prostitutes, or soliciting another for prostitution, or offering to procure a prostitute for another, or directing taking or transporting on foot or by automobile to any place for the purpose of prostitution, is a misdemeanor. (Acts 1918.) The use, sale, drawing, possession or distribution of obscene pictures or writings, or the use of such language or disorderly conduct in the presence of females in public places, is a misdemeanor. (Sections 385-387 P. C. Parks Code.)

Gambling with Minors.—Gambling with a minor is a misdemeanor (Section 396 (a) P. C. Parks Code.) Persons owning or controlling a pool or billiard table or ten pin alley who permit a minor to play or roll on the same without the consent of the parent or guardian shall be punished by a fine not to exceed \$100.00 for each offense, or imprisonment for twenty days, or both. (Section 406 P. C. Parks Code.) Furnishing cigarettes, or cigarette tobacco and paper to minors is a misdemeanor. (Section 491 P. C. Parks Code.)

Marriage Laws.—Females under fourteen, and males under seventeen may not be legally married. Neither can a man marry his step mother, mother-in-law, daughter-in-law, step daughter, or granddaughter of his wife, nor a woman the corresponding relatives. Persons of unsound mind, white persons and persons of African descent, and persons whose previous marriage is undissolved may not wed. Marriage of person related by blood within the Levitical degrees of consanguinity is prohibited. (Penal Code 371.) Females under eighteen may not be issued a license to marry without the written consent of the parent or guardian, and the County Ordinary who issues a license without such consent, or without proper precaution in inquiring as to the fact of the minority shall forfeit \$500.00 to be recovered at the suit of the clerk of the superior court and added to the county educational fund. (Sections 2929-2943 Parks Code.) Any judge, justice or minister who marries any couple without a license having been issued, or when within his own knowledge such persons are unable to contract marriage legally, shall be guilty of a misdemeanor. (Section 677 P. C. Parks Code.)



RELEASED ON PROBATION

**The Boy has Won an Authoritative but Kindly Friend
Courtesy Municipal Court of Philadelphia and National Probation Association**

Chapter IX

DISPOSITION OF THE CASE

"Deciding treatment that is tremendously influential at the formative period of life vastly outweighs in importance in the world of realities any decision of a criminal case that may take weeks in court perhaps fill pages of newspapers." Dr. William Healy, of Boston.

55. Probation Advisable in Most Cases.—Care should be taken to dismiss all trivial cases. Placing such children on probation lowers the respect of children for the court. "It requires the highest wisdom and finest judgment to decide aright. Unless the child is found to be definitely feeble-minded probation is used in the first instance in a large majority of cases. If there is only a fair chance that the child can remain in his own home and successful results be secured, that chance is taken."

"Why Wreck a Home?"—The easiest disposition which can be made of any dependent child is to separate him from his family and either place him in an institution or provide for him through some other child-caring agency. But, it would seem that before a child is removed from his home we should consider these points:

"Any mother in the animal kingdom will risk her own life to save her children. Does not some of this instinct exist in the human race?"

"A mother always believes in her own child. It is a fundamental necessity that every child has some one to believe in him. Can we not, in some instances at least, help the child by making this principle clear to the mother?"

"Is there a real reason why the child can not be cared for where he is? Can this reason be eliminated by constructive social work?"

"Wherein by our proposed care can we provide the thing that is now lacking?"

"Would the same amount of money which his care away from his home would cost, accomplish more if spent in aiding him in his own home?" (Ohio Board of Public Welfare.)

56. Children Who Should be Taken Under the Custody of the Court.—What children, then, should not be placed on probation, but should be taken under the custody of the court?

1. **The low Grade Imbecile (idiot),**—of the untrainable type, who has no suitable home of his own, or with relatives, where he can receive proper care. At present such children can only be committed to the state Sanitarium at Milledgeville, although the state should provide a colony for dependent epileptics and imbeciles. Children whose mentality is so low that they cannot be trained to useful manual acts or habits of obedience should never be sent to the State Training School for Mental Defectives. If they have parents or relatives able to give them a suitable home, such relatives should never be relieved of their responsibility.

2. **The Higher Grade Mental Defective,**—whose home is undoubtedly incapable of preventing the child from becoming a menace to the community. Only a few of these however can be received at the State School for Mental Defectives at Gracewood until the legislature makes a more generous appropriation for the support of that institution. If they cannot be sent to Gracewood they should never be sent to any institution for dependents or normal children, as they present problems which demoralize orphanages. If they have become seriously delinquent and cannot be received at Gracewood, they might be taken at the state training schools for delinquents. Others will necessarily have to remain in the community on probation under such safeguards as can be provided. Here is a challenge to the imagination and resourcefulness of the probation officer. While struggling, perhaps, to find some manual occupation for the defective children, the probation officer can educate the community to the point where the school system will recognize the mental defective at six years of age when it first enters school, giving it special training in manual work and habits of industry and obedience, without the embarrassments of a literary curriculum which it is mentally incapable of mastering; thus preventing its ever becoming a delinquent.

3. **Certain Types of Dependent Children,**—who must be taken under the custody of the court, after every possible effort to keep them with their parents or relatives has been exhausted. (See chapter X.) The fact that parents or relatives express a desire to give up children is no reason that such action should be encouraged. If they are normally fit and financially able pressure should be brought, perhaps by giving them a trial in caring for the child (not letting them know it is a trial) and watching closely to see that they do not abuse or neglect him.

(a) If the father is dead, deserted or disabled, and the mother fit but financially unable to care for the child the aid of relatives

should be enlisted. This failing, a subsidy should be sought, either from the county poor funds, or some private source, always making sure that the monthly allowance is sufficient to enable the mother to remain at home and care for her children. For county's authority to give such aid from the poor funds see paragraph 65. In cases where efforts to secure such a subsidy fail it may be necessary to place the child temporarily in an institution. If there were a state boarding out agency doing good work its aid might be enlisted, but as yet no such agency exists.

(b) If the mother is dead, deserted or disabled, and the father or relatives temporarily unable to give proper care, the father should be given financial aid in securing a housekeeper, or boarding the children in some private home in the community. This failing, the institution will have to be used for temporary care.

(c) If both parents, or the only living parent, are chronically ill requiring long time hospital care, the relatives unable to help, and it is impossible to secure enough financial subsidy to board the child, it will be necessary to place it in an institution.

(d) In cases of desertion the emphasis should be placed upon bring the deserter to assume his or her obligations. (See paragraph 49.) If the father is found to be unfit effort should be made to compel him to face his financial obligation in meeting or helping to meet the expense of caring for the child. The aid of a lawyer may be necessary in such cases, as prosecution in a criminal court may be required.

(e) Children with both parents totally unfit, abandoned children and full orphans, who are physically and mentally normal, whose relatives are unable or morally unfit to care for them, should be taken under the permanent custody of the court. Such children under five years of age should never be placed in an institution but should be referred immediately to the Georgia Children's Home society, Atlanta, for placement in a private family home. Older children may be placed in an institution or referred to the Childrens Home society according to their ability and capacity to care for them. Only children of this class (e) should be made permanent wards of the agency or institution taking them. All others, who have one or both parents morally fit, should remain wards of the court and their parents, and under no circumstances should the parents be permitted to "sign away" their children as is sometimes required by institutions.

The juvenile court or probation officer should never undertake to place children premanently in foster homes. This can only be

done satisfactorily with proper supervision by a state agency. Usually the child should be removed to another community to get him away from the danger of influence which previously surrounded him. At least, no one locally except the probation officer should know where the child is placed, until after it reaches maturity, especially when there is some stigma attached to his previous experiences. Hence the suggestion of calling in the Georgia Children's Home society which is equipped to make such placements. The probation officer should, however, cooperate with the Georgia Children's Home society in visiting and reporting on children placed within the county.

Care should be observed that dependent children who are not delinquent are never sent to the state schools, or other schools, for delinquents. This exposes them to dangerous associates. Neither should delinquent children be sent to orphanages or homes for dependents. They complicate the problem of discipline and training.

4. Certain types of delinquent children,—who after probation has failed repeatedly, physical defects have all been corrected, and every conceivable plan has been exhausted, must finally be removed to another environment by court order. If the child in court is being influenced by a gang the salvation of the whole gang should be attempted (as suggested in chapter XI) and when this seems impossible the gang leader should be removed by court order, rather than the followers. Often the gang leader will be over fifteen years of age and should be prosecuted in the criminal courts if other efforts fail. A few such delinquents can be sent to the State Training school for Boys at Milledgeville (if under sixteen years of age), or the State Training School for Girls near Atlanta (if under eighteen years of age). However, the appropriations for these schools are so small that their capacity is seriously limited. If the county or relatives will pay \$15.00 monthly board these institutions can care for a larger number. Several private institutions in the state are specializing on semi-delinquent boys or girls, who have committed no serious offense, but would be benefitted by temporary removal from their communities. (See list of institutions furnished by State Department of Public Welfare). These may be used on rare occasions, but, as a matter of fact, painstaking probation work is usually just as apt to be as successful as institutional care, unless complete dependency is also a factor in the case.

The probation officer may find it advisable to arrange with several private families to take temporary care of a delinquent while the officer is straightening out family difficulties. If such

child is old enough to work the court should see that he receives pay for his labor. The indenture or apprentice system is too much like peonage to be countenanced. Negroes should never be placed with white families, but always with members of their own race. Usually it is best not to place a child in a family of a widely different social and cultural status from that from which he was taken, as the environment makes adjustment difficult. The child should understand that he can leave and return to the court if not properly treated. The probation officer must keep close watch over such children, never placing them at inaccessible points, and visiting them often. One officer should never have more than five or six children so placed under his care at a time.

57. County Reform Schools or Farms Inadvisable.—The untrained probation officer or judge will pine for a county reform school or farm. There are such farms for white boys and negro boys in Fulton county, and for negro boys in Chatham and Richmond counties, while Bibb county is opening up a detention farm, which the judge expects also to use for short punishment sentences. The popularity of these county farms as now conducted lies in the use of boys to produce farm products for the support of the road gang and county institutions, and not in training, these city boys along industrial lines which will turn them from delinquency when they return to the city. Hence the chaingangs are the recipients of many graduates from these farms. The only basis of an institution for delinquents is in industrial education. Our state training schools are still sadly lacking in facilities for training the youngsters for life vocations and certainly tax money should not be dissipated in a half dozen poorly financed institutions in the counties, the cause will suffer and childhood gain nothing. By all means let us center on these two state institutions until they have become really great industrial schools with several times the present capacity.

58. Steps Necessary Before Commitment to Private Institution. All children who need hospital care or medical treatment should be given it before they are sent to an institution or agency. Special care should be taken to cure the infectious stages of contagious diseases before commitment.

A complete record of the facts found in the investigation, including social history, mental and physical examination, etc. should accompany the commitment papers as proper care in the institution must be based on a thorough understanding of the child's past en-

viromnent family and personal history, including the circumstances which brought him before the court.

Under no circumstances should a child be sent to any institution until arrangements have been made for his admission by correspondence.

59. Method of Commitment and Discharge in State Institutions for Delinquents, Defective and Insane.—The Juvenile court has the right to order any child under sixteen committed to the State Training school for Boys at Milledgeville, or under eighteen to the State Training School for Girls, Atlanta. Application for admission to the State Training School for Mental Defectives at Gracewood must be made by the parents, or guardian, health officer, school official, or ordinary. Commitment to the Insane asylum is by lunacy commission appointed by the Ordinary. For complete information on law and care of insane and feeble-minded see pamphlet issued by this department.

In every instance papers must first be sent to the institution, application forms furnished by the institution filled out, and previous arrangements made for admission. Children must be sent to the institution by the county, and a female attendant or relative must accompany all females.

Both races may be sent to the Boy's Training school, but there is provision only for white at the Girls Training School. A negro girl's school is badly needed. Both races are taken at the Insane asylum, but only whites at the Training School for Mental Defectives.

Free care is given, without expense to the county, at all these institutions. However, when it is impossible for them to accept inmates due to limited state appropriations, they are often willing to accept additional children when their expense is borne by the county or by individuals. See Appendix for complete laws governing the two Training Schools for Delinquents.

The Juvenile court law (Appendix, Section 900 (aa).) provides that the court may order the return of any child to its parents, or transfer to another institution. However, since that law was passed the legislature has placed entire power of discharge in the hands of the board of the Boy's Training School, and since the court has no right in the first instance to commit to the institutions for the insane and mental defectives, it can now only control the discharge of girls from the Girl's Training school. As a matter of fact discharge should always be upon agreement of the court and the superintendent of the institution,—safeguarding not only that

the inmate is ready for discharge, but that this family and community are ready to care for him. All inmates of the Boys and Girls Training Schools must be discharged when they reach the age of twentyone.

When inmates are paroled by the institution, the court and probation officer should take them under their guidance, and assist them in becoming re-established in the community.

60. Care of Blind, Deaf and Crippled Persons.—The Juvenile court and probation Officer should see that every blind and deaf child is entered in the Blind Academy at Macon, or the Academy for the Deaf at Cave Springs. (Sections 1401-1431 Parks Code). These institutions are open nine months in the year to persons between the ages of seven and twenty-five years of two years residence in the State. The law provides that indigent persons are given free tuition and board, while the boards of trustees impose regulations for pay of others. As a matter of practice there are no charges. Students must supply their own shoes and clothing, and pay their own railroad fare and care during vacation, unless certified as unable to do so by the ordinary. If a deaf student is too poor to maintain himself during vacation, the law provides that the county from which he was sent must make the necessary provision. Blind students are not allowed to remain longer than four years, and deaf students not longer than twelve terms. Students may come and go at will, as there is no legal commitment, but the Juvenile court could require and enforce attendance through probation. If parents interfere the child can be taken away from the authority of the parent by the court. (Appendix; Section 900 (h)).

Crippled children should be secured treatment at the Scottish Rite Hospital for Crippled Children in Atlanta. They will be given free examination on any Friday at the institution, and placed on the waiting list if there is possibility of remedying their condition by treatment, and provided they are unable to pay for treatment. Many miracles are performed at this wonderful institution,—children crippled from birth, or by infantile paralysis, being made to walk.

Any person fourteen years of age or over who is physically handicapped by reason of a physical defect, whether from birth or acquired by accident, injury or disease, is entitled to the benefit of the Vocational Rehabilitation Act. This provides instruction and instructional supplies for a special vocational course at state and federal expense and placement in a suitable occupation. F. E. Land, supervisor of industrial rehabilitation, State Department of Educa-

tion, State Capitol, should be consulted. Many young people, or family supporters may be made useful citizens by special training in the very best schools in the country, or by being found work specially suited to their condition, if Mr. Land is called in. The law does not provide for board and lodging and incidental expenses while in training. The probation officer, when necessary, should interest some local group in advancing a loan to the handicapped person to help him secure training.

SAVING A FAMILY

How it was done in Columbus, Ga.

(From the Columbus Ledger)

The question is often asked: "What does the Family Welfare bureau do for people?" The story of the following family is a concrete answer to the question:

Mrs. A. applied to the bureau for assistance in the payment of advance rent on a two room house renting for \$5 which was almost as cheap as the one room she was then occupying with her husband and five children, the eldest being a girl 13 years of age, which made the present living arrangements degrading and dangerous, as well as intollerably crowded. Mr. A.'s wages were \$12 a week, but he has bad health and works irregularly so he seldom earned that much. The bureau paid the first month's rent on the new two room house, secured a bed, bedding, clothing, has helped occasionally with groceries, arranged through the health department to have Mrh. A.'s eye operated upon, glasses secured for one of the children, through the kindness of volunteer doctors; to furnish special diet of milk, etc., for the eldest child who has pellagra, and to have several teeth extracted for her free of charge.

Our interest, assistance and helpful advice have so encouraged this family and so increased their self respect and raised their standard of living that they have recently moved out of the two room house into a three room one renting for \$10 a month, for which they are paying themselves as Mr. A. is commanding better wages and working more regularly as his health, or rather his attitude, has improved. However, there is still another service to be rendered as the city's physician has said that Mr. A. will not be well until he undergoes an operation, therefore, while he is at the hospital the bureau will assume financial responsibility for the family.

The relieved expression in Mr. A.'s eyes, the improved physical condition of the children, the ambition instilled in the family for a better mode of living and the love aroused for the bureau are full compensation for the money spent, the time consumed, the worry and personal effort devoted to them.

This problem has been worked upon since November 5th, 1921 which indicates the length of time necessary to change human destinies. This family is only one of many, some requiring a greater length of time, some presenting more problems and some in more distressing circumstances.

Chapter X

THE CARE OF DEPENDENT FAMILIES*

61. **Development of Community Resources.**—Many of the cases which come before the Juvenile court present financial difficulties. It will be fatal to community development if the court and probation officer attempt **directly** to give relief, and service, to bring every family back to self support. The probation officer should rather develop the attitude of advisor and consultant to the various groups church organizations, associated charities, Red Cross chapter, Parent-Teacher Associations, fraternal organizations, etc. which feel a responsibility for destitute families;—calling their attention to cases, helping them to make investigations and work out solutions, meeting with them to discuss cases, giving them talks on methods, and educating them to the importance of constructive family service as well as emergency relief.

The community should realize that Social Work is a profession and that the understanding and treatment of family and community social breakdown requires training and qualifications just as much as is necessary in the handling of physical breakdown. However, the physician is dependent upon untrained people to care for persons who are not critically ill, and to carry out his instructions even when serious complications have developed. Just so, the trained social worker is dependent upon untrained volunteer groups to discover families in need of service, to give them first aid treatment, to call in the trained worker when complications are serious, and to carry out the worker's suggestions.

The community should not feel that it can report cases to the paid worker and wash its hands of the responsibility. The worker who suggests such a thing has proven that he is not properly trained. The worker should be called to meet with the group when it has up difficult cases, should undertake some of the more difficult tasks in connection with the case, but only where a "major operation" is necessary should the worker take entire charge of the case. The Department of Public Welfare will supply literature specially adapted to these groups.

62. **Essentials in Family Service.**—1. That family distress be discovered as early as possible. The first intimation of difficulty will usually reach the neighbors, or the school teacher, or the church and fraternal organizations, or the courts. Hence the essen-

*This chapter is written with rural counties in mind—counties in which the probation officer must necessarily engineer the handling of all kinds of family problems. Where there are specialized agencies with paid workers the court should always refer cases to the agency which is equipped to render services.

tial first step is to develop family service committees in the neighborhood, church, parent-teacher, and fraternal organizations.

2. **Emergency Relief.** If there is indication that the family is in distress for food or clothing, this should be met by the person or group which makes the discovery. This is only **TEMPORARY** relief and does not begin to solve the family difficulty.

3. **Placing Responsibility.** The case should be referred to the group which has a natural responsibility toward the family. The probation officer should keep a record of all cases being handled by the various groups, and prevent duplication by notifying them when more than one is interested in the same family.

4. **Making Neighborly Contracts.**—This is a work of intelligent neighborliness. The group should select the person in the community who can most naturally visit the family on a social neighborly basis,—not once, but often, until real friendship and confidence is established; always keeping her eyes open and tactfully leading the confidences to points that will throw light on the real family problems. These visits should bring to light family conditions and needs which the whole group will endeavor to meet.

(a) **Health.**—See that a careful physical examination is given any who are sick, or delinquent, and that they are given the very best possible care. Persuade them to submit to the doctors orders. Furnish volunteer nursing, or secure trained nurse if necessary.

(b) **Social Life.**—What can be done to improve the family's relationships and activities in the community, the church, the neighborhood? How can father, mother, children be led into clubs, parties, entertainments, etc., which will enrich their experiences?

(c) **Moral and Spiritual Life.**—If there is loose living, who can give friendly counsel and lead out to better things? How can new appetites and hungers be stimulated?

(d) **Home Management.**—Can the mother be brought to visit other homes; can she be helped with tact and without embarrassment to develop order, to improve the diet, to solve her problems of discipline?

(e) **School Life.**—Does the child fit in his grade? Can the teacher be helped to understand him better? Would it be well to place him under another teacher? The committee will no doubt wish to persuade the board of education to put a special ungraded class in the school for individual instruction of difficult children.

(f) **Employment.**—Is a breadwinner out of work? What has been his past employment experience? Can he be found a position suitable to his capacities?

Report of these visits and all plans made should be entered on a **RECORD SHEET**, (supplied at moderate cost by the Department of Public Welfare) or written on plain sheets of paper and filed under the family name.

5. The Difficult Cases.—When it seems impossible to assist the family in neighborly fashion to secure sufficient income, when desertion or death leaves a widow to support her family and relatives do not come to her aid; when children are becoming incorrigible; when immorality or neglect makes it seem that the family should be broken up; when ministry of practical neighborliness fails, the probation officer should be called in to advise the group, to direct and aid in the solution of the case.

6. Studying The Family.—A plan for a family facing a serious crisis cannot be made without a careful inquiry into all the phases of its life and relationships. The family may endeavor to prevent the discovery of the very cause of their trouble which must be known in order to work out a remedy. Relatives both in the community and elsewhere must be interviewed to get the past history, and the attitude of the relatives toward the family. Responsibility of the relatives to give financial assistance must be placed and sometimes insisted upon. The minister may be able to give confidential facts which will throw light, while the physician can add his knowledge of the family life and physical disabilities. The present employer as well as past employers can best give the proper insight into a person's ability and interest in his work. Lodge officials and landlord and court officials often know intimate facts which are vital. Interviewing present neighbors and employers is dangerous, but sometimes must be done tactfully, while, if possible without embarrassment to the family, former neighbors should always be questioned.

7. Making A Plan.—When the facts are all gathered the probation officer will meet with the group and carefully consider the steps to be taken for the benefit of the family, to restore it to normal living. All plans should be made with the idea of helping the family to help itself. All of the resources of the state and community should be drawn upon for service they can render. Advise with the State Department of Public Welfare if any question arises.

When there is an able bodied breadwinner, financial relief should be given with extreme caution; as it may increase the laziness and shiftlessness of the husband. Employment should be offered, and only the barest necessities for a brief period. The mother should

often be required to swear out a warrant for a deserting husband before she is given relief even tho the warrant may not be served, provided he agrees to return to his duty. (See paragraph 49)

If the mother is morally and physically fit the home should never be broken up. Aid of relatives or from county or private funds should be secured to enable the mother to remain with her children, neither placing them in an institution nor going out to work.

8. Figuring a Budget.—This should be figured out carefully, where relief is given. It is an estimate of one weeks living cost of the family under tolerably decent living conditions, including cost of food, rent, fuel, etc., from which is subtracted what members of the family earn, or ought to earn and what the relatives give, or ought to give.

9. Relief Should Be Adequate.—If aid is necessary the plan should always provide adequate relief,—ie, school books and clothing as well as orders for groceries and fuel for a definite adequate amount each week upon which the family can depend. Too often occasional doles of food at spasmodic intervals result in the family becoming pauperized and reduced to begging. If the family is subjected to the prying condescending visits of different people who bring baskets of food at irregular times, family pride is sure to be broken. Contacts with the family should always be made by the same person, and the feeling of security can only be established by providing a definite continuous adequate income. This relief may be given by the county, or by one or more private agencies. Where several groups combine in making up a family budget, they should deal with the family entirely through one group.

10. Loans.—Where there is any possibility of the family repaying any amount advanced, they should be required to sign a note which should be collected at the date payment is due, or a definite extension of time granted. This method aids in preserving the self-respect of the family. Pauperism is contagious, Easy aid kills character.

11. Personal Influence in the Treatment of Dependence.—“The attitude of the recipient of relief towards his own situation and toward the relief which he is receiving creates an equally definite administrative problem. The development of resourcefulness and the spirit of self-dependence, or their conservation when they are threatened by adversity, are fundamental tasks. Family dependence is frequently a matter of the unwise use of resources. This may spring from ignorance, from a wrong set of values, from shift-

lessness or from a broken spirit. Whatever the cause, successful treatment of such families must include the reeducation of habit and emphasis upon right standards through personal influence.

"Responsibility for this phase of the task is not necessarily discharged when specific disabilities have been successfully treated. Too often it is assumed that a family whose wage-earners are employed, whose ill-health has had successful medical treatment, whose truant children through fear of the attendance officer are regular in school, whose babies under the watchful eye of the nurse at the milk station have for weeks been properly fed, whose deserting husband and father has been restored to them with a threat from the court, which for the time being keeps him up to his responsibilities—is a family rehabilitated. Such hopeful developments, however, may all have been effected by outside pressure which leaves untouched the family psychology which made them necessary.

"This is a problem in personal influence for which there is no formula. It demands in a worker a power of analysis, understanding of the handicaps to self-maintenance, appreciation of the spiritual values in life and the gift of leadership. The fruits of this equipment in a worker are intangible but vital. They are worth more to the process of rehabilitation than any quantity of relief or the removal of any number of objective disabilities." Porter Lee in "County Outdoor Relief."

Every person interested in this subject should by all means read Mary Richmond's "What Is Case Work?" price \$1.00, supplied by State Department of Public Welfare.

12. Follow Up.—The group should keep in close touch with the family, and the agencies which have agreed to assist, and see that plans are carried out. Development should be discussed in committee meeting, and changes in plans made when necessary. Every visit, and every report on the family and child should be written out on blank sheets of paper and filed neatly in a folder under the name of the family. The Probation officer should check carefully to make sure that the follow up work is not being neglected.

63. Transients.—Dependent individuals and families who are nonresidents, and have one year's established residence elsewhere should be furnished transportation to their homes. However, under no circumstances should transportation be supplied until the residence in the other community has been verified by wire or correspondence with references given and with relatives or agencies who would be responsible for their care. Passing people on, or

ordering them out of town, is neither ethical or humane. If, after arrangements are made for a transient's return to his home, he refuses to go, the public should be notified and all aid discontinued.

Some one agency or group in the community should assume entire responsibility for handling the transient problem. Citizens should be discouraged from giving out "handouts" to transient beggars, unless they come with a note from the central clearing agent.

Where residence or the existence of employment or someone to give the proper care cannot be discovered and verified, the case should be handled as though it were a local family. Write the Department of Public Welfare for copy of the National Transportation Agreement.

64. County Poor Relief.—The probation officer will try to cooperate with the county authorities in the handling of the county pauper fund. In all but the larger counties if possible he will get them to turn over their cases for supervision, and to make grants only on recommendation of the probation officer. This fund should be used only for long time relief of families who need to be subsidized or pensioned. At first it may be necessary to combine relief from outside groups with the county grant to bring the amount up to sufficient to support the family, but as soon as possible the number of families on the county list and the amount of the pauper fund should be so adjusted as to give every family on the list adequate relief from county funds; arranging for other families to be cared for entirely by private groups. Thus only can both the county government and the private group be taught the value and importance of giving adequate support.

65. Provisions of Poor Law.—Counties are authorized to care for the poor who are unable to maintain themselves by labor, especially where females and helpless children are concerned. The county commissioners (the ordinary where there is no commissioner) are charged with the administration of the fund, and may appoint a commissioner of the poor to disburse the fund. The aid is limited to the furnishing of food, shelter and clothing, or grants of money for that purpose. (Sections 541-563 Parks Code). There seems to be nothing in the law authorizing the practice in some counties of the grand jury passing on the pauper list, removing and placing persons thereon. This should be discontinued, as the supervision of these persons should be continuous, and not at intervals of grand jury meetings. Of course the grand jury should examine the pauper lists, as all other county records. The practice of pub-

lishing the names of paupers is vicious, as is also the securing of affidavits from the applicant's neighbors. Person's self respect and pride should be respected. Families can be investigated, without betraying the fact that they have applied for relief.

66. County Almshouse Cases.—Also the probation officer should assist the county authorities in handling almshouse cases; investigating applicants; trying to arrange for the return of inmates to their relatives if arrangements can be made; cooperating with the local county visiting committee of the Department of Public Welfare in improving conditions at the almshouse. This department does not advocate the building or equipment of rural county almshouses, as it is too expensive both for construction and maintenance. We hope in time that the counties in a judicial district may be induced to combine and conduct a single well equipped and supervised hospital for the aged. For further suggestions as to methods of outdoor relief and almshouse care see the special pamphlet issued by this department.

“The chief danger with old age is that charity will relieve children from their proper burden. We know how much easier it is for one mother to support six children than for six children to support one mother. The county may sue children to compel support, (see Park's Code, Section 554) and can shame many more into support by threatening suit. The almshouse is a comfortable and suitable home for shiftless, improvident old age, or for dissolute old age.

“The private institution has dangers for the reason that it does not bring relatives out from cover as the threat of the almshouse will. Moreover, most private institutions have a waiting list and an entrance fee of \$250 or more which must be raised; but nothing worse than the private institution should be considered for self-respecting old people of the better sort whether the relatives will help or not. Sometimes the county will commit to a private institution on a weekly payment.

“Often it is best to keep an old man or woman to the end in the family home in which many years have been spent. When relatives will take care of old people, but without kindness, it is unkind to insist always on such support. A hard child-in-law can be very hard. So can own sons and daughters, but reconciliations of disaffected children are often accomplished. In fact, family reconciliations are a part of the trade. Good relatives in other cities are often willing to give a home, but it is not always well to transplant an old tree.” Fredrick Almy in “Relief.”

67. Care of Confederate Veterans.—Needy ex-confederate soldiers, and their widows who married prior to 1881 are entitled to be on the state pension rolls, and to draw \$100.00 each for 1922 (blind \$150.00). The legislature provided in 1920 that these amounts should be increased \$25.00 each year, but the wording of the appropriation bill in 1921 not only prevented the increase, but prevented persons who did not serve six months in the civil war, and their widows, and widows married since 1870, and persons with an estate of \$1500.00 from receiving pensions for 1922 and 1923, although they had been admitted to the rolls in 1920. However any needy veteran or widow married since 1881 should be gotten on the rolls, as they will probably be provided for in a few years. Application blanks should be secured from the Commissioner of Pensions, state Capitol. (Sections 1483-1514 Park's Code; Acts 1918, 1920; appropriation bill Acts 1921).

Needy veterans who are unable to maintain themselves may be admitted to the Old Soldiers Home, Atlanta, upon application to the superintendent, provided there is room, and the pro rata per population for the county is not already taken up. Care should be observed to apply for admission only for those who cannot possibly be kept with relatives.

68. Compensation For Industrial Accident.—When destitute or embarrassed families are suffering because of industrial injury or death of any member of the family, adult or minor, investigation should be made to determine whether the person is entitled to compensation under the Workmen's Compensation Act. The act does not apply to persons injured on railroads, or to casual, farm, or domestic labor, nor to employees of concerns having less than ten employees, unless the employers and their employees voluntarily elect, nor to other employees or employers who file written notice with each other and the State Industrial Commission of intent not to be bound by the Act at least thirty days before the accident. (Acts 1920) For further information write the State Industrial Commission, State Capitol.

Chapter XI PROBATION

The following from Charles L. Chute's "Children's Courts and Probation" is the best presentation of the Probation officer's duties that we have been able to find:

69. Methods of Supervision.—After the investigation, diagnosis, and adjudication by the court, when the child is placed on probation and the conditions have been explained, the real work of probation begins. Probation officers have developed various systems for dealing with their charges, but the vital thing is the personal relationship and not the applying of any system of rules or technique. The relationship created by the decision of the court is largely a psychological one. Certain rules are usually laid down by the court, supplemented by others developed by the probation officer, but rules alone are of little value. It is of course, requisite that the probation officer should see his young charge frequently. There can be no personal relationship without contact. Hence, most probation officers require regular reports or visits by the child to the probation officer, and all officers visit the children as often as possible in their homes, schools, or places of employment. But probation is not chiefly a system of discipline or surveillance or coercion. It is a spiritual thing. It is based on mutual understanding and mutual trust; on friendship, liking, and gratitude on the part of the child; and on an earnest desire to help on the part of the probation officer.

The probation officer must have the spirit of the artist, working with human clay. He must have what religious workers know as a "passion for souls." He must be human; he must work with his heart as well as with his head. He must be religious in its broadest and best sense. He must have faith in humanity, especially in boys and girls. He must love and understand children. He must be a child himself at heart, not a "grown-up" who has forgotten how it feels to be a child. He must be an expert in child life and child nature.

The probation officer must avoid a sentimental attitude; soft-heartedness breeds contempt. He must appeal to the sense of justice and fairness, found in almost every child, by being just and fair himself. He must at times be severe without being hard; uncompromising without stubbornness. He must show sympathetic interest in all that concerns and interests the probationer. This is the surest

road to the child's confidence, without which the probation officer can do nothing.

A practical worker with boys of many years experience sums up the basic work of the probation officer in these words:

Be sure you don't talk at the boys, or even to the boys. Talk with the boys. Think their thoughts. Get down (if it is getting down, and I'm not sure it is)—get down to their own words and ideas. Never use your own forms of speech if you can help it. Talk slang. Be a boy. Be one of them. Then you have the leverage under them, and you can lift them gently and unafraid just as high as they can go—and no higher. You will probably be surprised how far they will go, however.

This is where high art comes in, this knack of getting the boy with you. He may slip away from you many times, and he will always be unable to go as high as you would like.

Patience is the mother of virtue. "Rome was not built in a day." Neither is character, in a boy or in any of us. How interesting it must be to be a master builder, to plan and erect a great building, or a railroad system, or a manufacturing or commercial enterprise, or a great city. But to build a great or greater man from a slouch and a liar is more interesting, more heartening, and more worthy.

With such equipment and spirit the good probation officer begins his difficult task with the child delinquent. Parents, teachers, respectable people, doubtless it often seems to the child the whole world, has given him up as "bad." He may have had but little chance and small encouragement to be different; he may have had apparently every chance a child could have, yet something somewhere has been wrong in his environment or education which the probation officer must now try to remedy. This is often a complicated process. It requires imagination and ingenuity; machine methods will not do. The officer must stimulate and develop all that is good in the child's make-up, and must counteract bad habits and harmful interests by putting good ones in their stead. He must say "do, do," rather than "don't, don't." It goes without saying that he can not work alone, but will accomplish most of what he does accomplish through the help of others and by cooperation.

Space forbids the quoting of an entire probation record from the many successful records in the possession of the writer, but here-with follow brief summaries of records showing specific methods used by successful probation officers to secure the results they seek with delinquent children:

Case of a boy of 15 twice brought before the children's court for stealing. The probation officer found the boy in a good home, except that there was a decided lack of discipline. The boy had been allowed to stay out late at night, and entirely unknown to his parents had been associating with bad companions. The probation officer found this out and told the father everything. Strict discipline followed. The boy was required to attend a special school until he could secure his working papers. Then the probation officer secured steady employment for him, and he was kept entirely away from bad associates.

Another boy of 15 was placed on probation, having been caught forging an order for goods. He had never been in trouble before. He had no parents and was living with a married sister. Supervision at this home was entirely lacking. He was the victim of bad associates and an evil neighborhood. The probation officer took him out of this bad environment and arranged for him to live with another sister in a distant part of the city. Here he had a very good home. The boy was induced to work steadily and to save part of his earnings. He showed great improvement at the time of his discharge from probation.

A woman probation officer reports the following special services for girl probationers:

Secured medical attention.

Induced probationer to take regular baths.

Secured suitable employment and saw that the girl was regular in her work in spite of an indifferent mother.

Other special services reported by probation officers as frequently rendered are as follows:

Finding new living quarters for the family.

Taking children to places of amusements and libraries.

Sending children to the country.

Teaching mothers how to care for their children.

Helping probationers and their parents to save money.

Placing children in trade schools for special training.

Removing insanitary home conditions by securing the cooperation of the board of health.

70. The Details of Supervision.—While emphasizing personal service and individual work with each probationer as indispensable, the importance of a system of supervision which will insure adequate and effective contact with each child on the probation officer's list must not be overlooked. The probation officer must distribute

his time among his cases, be they few or many, to the best possible advantage. The National Probation Association in its standards has recommended that an average of 50 probationers is the maximum that any probation officer ought to be required to supervise. Even this is probably too large for the best results, and yet a majority of the probation officers of the country have more, sometimes several times more, than this number to care for.

Reporting.

When officers have an excessive number of probationers there is all the more reason why they should adopt methods which will insure regular contact with all their charges. None of the cases must be neglected entirely; some supervision must be maintained over all of them. To this end, requiring children on probation to come regularly to the probation officer at a stated time and place for a "report" or interview is in most courts considered a necessity. Many courts require weekly reporting of a majority of the children on probation for delinquency, except toward the close of the probation period when less frequent reports are often allowed. As the method is disciplinary in nature it is less often used for children classed as "dependent" or "neglected." In the latter class a parent is sometimes required to report. Girls and very young boys are in many courts not required to report but are visited more frequently. Experience shows that in general reporting is the only way to insure seeing the probationers with any degree of regularity or frequency. Visits to the home alone do not insure this result, the child frequently not being there. Reporting followed by the home visit brings the officer into contact with both the child and the home and forms a complete system of supervision which has proved most effective.

Mistakes are very commonly made in connection with the reporting of children on probation, which, unless carefully guarded against, may nullify the whole value of it. In the first place, children should be kept away from the court room or court building as much as possible. The greatest success in reporting has been secured by using school buildings, settlement houses, or private office as reporting centers. In the second place, children on probation should not be congregated. It is possible, by strictly limiting the number of children to be received at any one hour and by the proper arrangement and supervision of the reporting rooms, to avoid all harmful mingling. Perfunctory reporting, which consist of asking a few stereotyped questions and marking a card, is valueless. This can and should be avoided. The writer has observed report-

ing when it was a living, vital thing, the probation officer obtaining information on the child's conduct, habits, use of time, etc.—afterwards checking up this information; giving a personal word of encouragement or warning to each child; and, above all, cementing the bonds of friendship and mutual confidence by his kindly, heart-to-heart approach.

The question of bringing the child before the judge at stated times during the probation period or only for final discharge at the end of the term is a much mooted one. At one extreme is the court where the judge is in reality a probation officer, receiving regular and frequent reports from the child. At the other extreme are the many large courts where the entire supervision, fixing of the probation term, and the final discharge are all in the hands of the probation staff. It would seem that the best method lies between these two extremes. Doubtless it is best that the judge should not lose all contact with the child placed on probation, even when the child is doing well. -On the other hand, bringing the child into the court room, except where a reprimand seems needed or for a change of order, should be avoided. In some courts, the judges maintain close supervision over the work of the probation officers, reviewing their cases with them regularly but not seeing the child if he is doing well, not even at the termination of probation. This is largely a matter of the preference of the various judges. Whether one plan or the other is used, the child doing well on probation should not be subjected to the court atmosphere and surroundings. If the judge meets the child at the close of probation it should be for a friendly talk, not to awe the child but to encourage and back up the helpful influence and the constructive work wrought by the probation officer*.

There is a disciplinary side to the probation plan which can not be lost sight of. The greatest value of reporting is the discipline involved in it. It is something other than the ordinary duties of life which the child must perform regularly, whether he likes it or not. If the probation officer is successful and the child is taking his experience in the right spirit he will like it. In the words of one experienced probation officer: "The child who resents reporting is the very one who needs it most." It gives the probation officer a chance to teach obedience and punctuality. Home discipline is often so entirely lacking, habits of rebellion to all authority, willfulness, and selfishness so strongly established, that the probation officer may need all the power he can command to count-

*Care should be observed that a definite length of the probation period is set and that it comes promptly to an end with subsequent formal discharge.

eract them, including bringing the child several times before the court for reprimand.

An example of this method and its success is contained in the following probation report made to the judge upon recommending the discharge of a boy from probation:

S. L. has been on probation for eight months. At first the boy did not respond to the advice of his probation officer, which, I believe, was due to lack of cooperation on the part of his parents, but after a severe reprimand and threatening that I would bring him back into court, the boy responded and has conformed to the conditions laid down by me. His school report has improved greatly, until now his principal reports that to date this term the boy has been present in school every day. His conduct is B-plus. His parents now report that the boy is obedient, attends school regularly, and retires early.

Home visits and work with the family.

That every probationer's home should be visited frequently goes without saying. After all, the unit of society and the unit for probation service is the family. Very frequently, in courts having jurisdiction over adults as well as children, it is difficult to decide whether the child or the parent should actually be placed on probation. So far as the work of the officer is concerned this makes little difference. Practically speaking, the parent is always on probation. As the parent is frequently at fault, although often the victim of ignorance, poverty, and unjust industrial conditions, the probation officer must frequently do his most important work in endeavoring to aid and educate the parents to their responsibilities toward their children. Parents sometimes need to be taught to understand their own children. Not only neglect but overindulgence is commonly met with. The officer should become acquainted in many cases with every member of the family. He should not confine his assistance to the probationer, but should aid the entire family in every way possible.

Broken and defective homes constitute a distinct and oft-recurring problem. In the Seattle juvenile court for the year 1918 and 1919, 45 per cent of all delinquent and neglected children came from homes in which the parents were not living together due to death, divorce, separation, or desertion. In a study of 131 delinquent girls in the juvenile detention home in Chicago in the autumn of 1917, the parents were found not living together in 69 cases. The probation officer's work in these homes is difficult, but much can be done. Sometimes he can reconstruct the home, bringing separated

parents together and causing deserters to return. More often he must find other means of supplying the need. Sometimes he secures a pension or relief for a widow, enabling her to take better care of the child. A "big brother" or "big sister" may be enlisted for friendly visiting and more intensive supervision than the officer can himself give, or he may interest a church, settlement, boys' or girls' club, or other agency in the family. To obtain information, cooperation, and assistance, the successful probation officer must visit every person and agency with which the child comes in direct contact, whenever they can help him. Cooperation is the keynote of success in probation work.

71. The Probation Officer and the School.—The cooperation of the probation officer with school teachers and officials should be a real working together. Many children now passing through the courts could appropriately be dealt with by the public schools if the latter were equipped with sufficient attendance officers or visitors, having approximately the training which good probation officers now have.

In any case, whether probation work with school children is to be more largely carried on by the school or is to remain, as now, in the juvenile court, a closer coordination of the two services should be worked out. There is usually good cooperation. Probation officers, as a rule, receive during the school term weekly reports from schoolteachers on the attendance and conduct of their charges. They visit the teachers and exchange information. They consult with attendance officers. As dissatisfaction with school is often the case and accompaniment of delinquency, to secure awakened interest the probation officer often recommends a change of school, a better environment, or a different teacher. Often it is clear that a special class or different kind of education altogether is needed, usually more industrial and less from books. Unfortunately this can not always be secured. In these matters close cooperation and frequent consultations between probation officers and school-teachers is needed.

The special activities now being developed in so many communities in connection with the schools, such as the night school, the social center furnishing evening recreation, and Americanization classes are very useful to the probation officer. All of them are used in certain cases.

72. The Problem of Employment.—With the employed boys and girls and these beyond compulsory school age who can not be induced to attend school or whose mentality and circumstances do

not justify it, the probation officer has an important task in vocational guidance. In but few communities are there agencies developed to aid every child at that critical period when he or she first seeks a job. In still fewer communities is there available any system of scholarships or allowances to poor parents to prevent children from leaving school because of poverty alone. The probation officer who thoroughly understands his child, its home and environment, is in the best possible position to advise and help in these matters. He must go about it constructively. Labor injurious to the child, physically or morally, can be avoided only by helping to something better. In this the probation officer must have the cooperation of employers. The officer helps boys and girls to get suitable positions, advises with them about their future, seeks to have them leave unsuitable work and secure places with vocational value. He keeps a list of positions and employers with whom he keeps in close touch, especially with those whose interest is not wholly commercial. There are employers, and they are not uncommon, who will employ delinquent boys knowing all about them, not only giving them a chance but seeking to place them under good supervision, helping them all they can. Such employers are frequently consulted by the probation officer and are of great assistance to him in his constructive work. Ordinarily probation officers are very careful about visiting employers who may know of the child's delinquency, as a very different attitude is frequently encountered.

73. Cooperation with other Agencies.—Every agency that can help the child is used, depending upon the individual needs of the child has his home environment. Everywhere the problem of recreation and the use of spare time is of the greatest importance. Undoubtedly injurious recreation and loafing—often caused by the lack of any recreational facilities—are great factors in delinquency. According to a careful study made in 1908 the establishment of municipal playgrounds in certain districts in Chicago reduced the number of delinquents brought into the juvenile court from those districts, with reference to delinquency in Chicago as a whole, 29 per cent, though in the same period delinquency in the whole city had increased 8.

The probation officer seeks to get his charges interested in all agencies furnishing wholesome recreation, including playgrounds, settlement houses, boys' club under proper supervision, and, of late years, especially the Boy Scouts. He follows the plan of overcoming evil with good so far as possible.

Probation officers use the churches, often insisting on attendance at church and Sunday school because of the moral discipline in-

volved. With these, as with other cooperating agencies, the wise probation officer finds the maximum of good results from securing the child's interest and voluntary attendance.

The probation officer secures direct and effective cooperation from private agencies working in the children's court. Relief societies, protective societies, and agencies, such as the "big brother movement" and the "big sisters," which furnish volunteer probation officers, are all utilized. These agencies are called upon for all sorts of special services, such as furnishing relief to destitute families and assistance in securing recreation and fresh-air excursions. By acting as friendly visitors they make the work of the probation officer more intensive.

It almost goes without saying that cooperation is had from the police, public relief agencies, and civic and other organizations. As the work of the probation officer touches almost every side of the child's life, even to catalogue all the cooperating agencies is impossible. All this indicates that to secure efficient results the probation officer must be a very well-informed and cooperative person.

74. Records.—As in all case work, good probation records are indispensable. There is a great variety in record systems, many of which are defective and inadequate. The essentials for every child dealt with are a record blank containing the previous history and all data secured in the investigation, and work done by the probation officer during the probation period. Folders for filing all data and index cards for ready reference are important. Some courts of late have adopted the family unit (*filing under father's name) for filing records, which seem in many ways desirable. A great fault in many courts is that of requiring probation officers to spend too much time in clerical or office work instead of allowing them sufficient clerks and stenographers. Full and complete case records not only insure thorough work and promote continuity of treatment, but are most valuable for research purposes. (end of quotation)

Record forms will be supplied at moderate cost on request by the State Department of Public Welfare.

75. Follow up Care.—When a probationer moves to another community a careful probation officer will attempt to find a probation officer or social worker in the other community who will take up the supervision of the case. A complete history of the child should be forwarded to the new supervisor.

The officer should also endeavor in every way possible to reestablish homes from which the court has taken children, preparing them

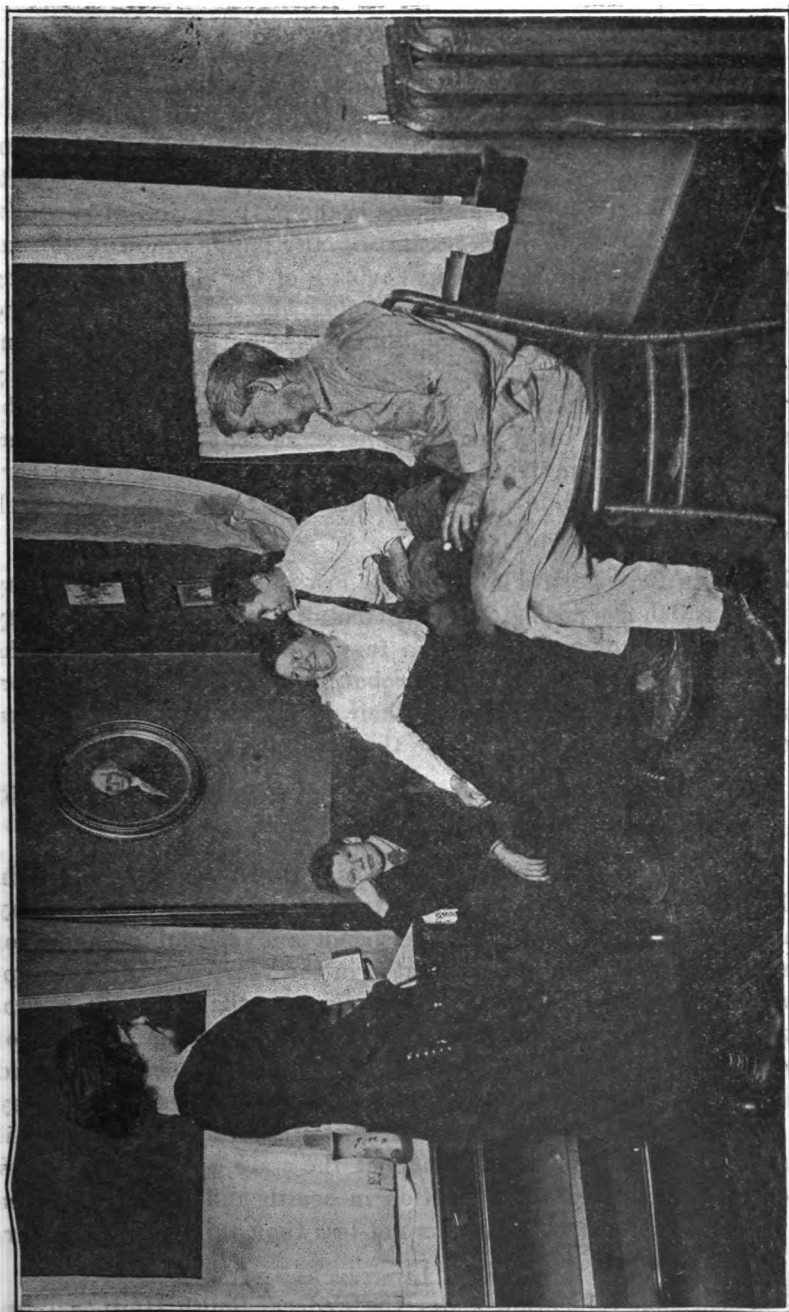
for as early return of the child as possible, and when the child is paroled or discharged from the institution the officer should establish a definite watch care for a definite period, assisting him in readjusting himself to home, school, work and community life.

76. Gaining Public Appreciation of Work—The probation officer who does not plan carefully to educate and interest the public in the work of the court will most surely fail to receive the necessary moral and financial support.

1. This will depend in the first place upon the officer's ability to interest and use volunteer help. It is much more difficult to get others to work, to find tasks for individuals and groups than to do it oneself, but ability to do this is the greatest essential in real leadership. Volunteer big brothers and sisters should be enlisted. The court's advisory board should be organized, holding regular meeting with the officer acting as secretary. (for duties see Section 15). Perhaps the local W. C. T. U. will be used to fight immoral influences and improper community amusements; a committee of the Parent-Teacher's association to discover and help needy families of children discovered through the schools. Whenever a child is reported to the court the officer should endeavor to find the most logical group to assist in the case, making sure that they feel they are actually responsible for the work.

2. The county commissioners must be kept interested and informed through special reports, and interesting stories of cases, being careful to use no names which will cause embarrassment.

3. Talks before organizations, presentation of statistics and reports, and newspaper publicity should not be neglected. Publicity should always be guarded to prevent injury to pride and handicapping children or families. For samples of constructive newspaper articles write the State department of Public Welfare.



After Probation—A Reunited Home Better Than Reformatory Treatment
Courtesy Municipal Court of Philadelphia and National Probation Association

Chapter XII

COMMUNITY PREVENTIVE MEASURES

"A juvenile court stands at a peculiarly strategic place in the community's scheme of child welfare. In it are registered the results of family and community breakdowns in the preservation of a wholesome family life. Without necessitating any undue amount of time or money, the tabulation and summarizing of the elements entering into each case will quickly inform a judge who is interested to find not only the solution in each individual case but also the flagrant weaknesses in a community's organization. Without being unduly alarmed over every indication of serious delinquency, he should be in rapport with the other social agencies, so that there may come out of their joint experience plans for greater protection and care of the community's children." C. C. Carstens, Director Child Welfare League of America.

77. Some Suggested Plans.—What are some of the community activities which are needed in the community to prevent community and family breakdown? We list a few of them here, not with the idea that the Juvenile court or probation officer will actually organize them, but simply through their influence, and their knowledge of conditions, help to arouse the community to the need.

1. An active competent truant officer. See paragraph 13 and 52 for suggestions as to duties.

2. Physical education in the schools. Under an act passed in 1920 (No. 627) county city and district boards of education may separately or jointly employ supervision and special teachers of physical education, for twelve months in the year, who must be approved by the State Board of Education, who shall provide a program of physical education in the schools, including the use of school buildings and grounds after the regular school hours and during vacation as community centers for the promotion of play and other healthful forms of recreation. Under the same bill it is required that in all common schools of the state a course in physical education devoted to instruction in health and safety, exercise and recess play must be given for not less than thirty minutes during school hours.

3. Vocational Education under the Federal Smith Hughes Law. Federal and state funds are available for full time, part time, and night school instruction in agriculture, trades and industries, and

home economics for persons 14 years of age and over, Such courses should be established in every county and community in the state. Application for state and federal aid is filed by the board of education with the State Board of Vocational Education, State Capitol. Many children who otherwise would become delinquent or dependent, upon entrance in vocational classes find their first real interest in school work.

4. Special classes in the grammar schools for retarded children. The child who cannot keep up with his classes, either from retardation or mental defect, is sure to develop habits of delinquency in school, and to drop out early. Educators are agreed that these children should be given special individual instruction in ungraded classes by trained teachers, with equipment for manual instruction. High grade feebleminded children, if properly taught, may develop habits of obedience and industry and morality. Otherwise they are apt to become criminal and an economic burden.

5. Special measure for guarding the health of children. This includes physical examination in the schools; adoption of the Health Crusade program in the schools; (the State Tuberculosis Association Atlanta furnishes literature and sends crusade organizers) clinics for removing physical defects, advising expectant mothers, and post natal care; nutrition classes for physically subnormal children; as well as the full rounded public health program of sanitation quarantine, home nursing, etc. These things can best be secured by adopting the Ellis Health law, which can be done by two recommendations of the county grand jury, which means the employment of a full time health officer, and if possible a public health nurse. The Ellis Health law is in Section 1676 Parks Code. The State Department of Health, State Capitol is ready to cooperate in any of these undertakings.

6. Development of a public recreation program, with supervised swimming and playground facilities, community dramatics, music, etc. Community Service Incorp. Southern office, 249 Ivy St. Atlanta will assist in organizing this work.

7. The work of the Farm Agent and Home Demonstration Agent. Their help in farm and rural home management, organization of canning and farm products clubs among boys and girls, is invaluable as a deterrent to dependency and delinquency. The State College of Agriculture, Athens, is headquarters for this work.

8. Development of active private agencies to supplement the public agencies, and develop pioneer activities before the public

agencies can be induced to undertake them;—such as Associated Charities, Red Cross Chapter, Tuberculosis association.

Persons interested in Preventive Measures should by all means read Dr. E. T. Devines "Normal Life" price \$1.00 supplied by the Department of Public Welfare.

APPENDIX

1. Essentials In Juvenile Detention Homes.
2. The Georgia Juvenile Court Law with Index
3. The Georgia Adult Probation Law
4. Laws Governing the State Boys and Girls Training Schools.

1. ESSENTIALS IN JUVENILE DETENTION HOMES

Extract from article by Katherine F. Denroot,

U. S. Childrens Bureau.

The detention facilities provided for the care of juveniles vary in different localities and are partly determined by the size of the problem with which the community must deal.

Detention homes, or houses of detention, may be divided into two classes—private residences remodeled for detention home purposes, and specially built houses of detention. The latter are practicable only in communities where considerable numbers of children are to be detained at any one time.

A considerable number of courts use as a method of detention the placing of children in family homes, or in the custody of court officials. Except for Massachusetts this is done chiefly in states having much rural territory. In some communities the home of the chief or other probation officer is used for detention purposes. An interesting experiment has been made in the central district of Boston in the use of boarding homes for detention purposes. There is no house of detention for children in this district through a shelter is maintained by the Society for the Prevention of Cruelty to Children for use in the care of neglected children. This shelter accommodates 18 children. The Children's Aid Society cooperates with the court in maintaining eight or ten private boarding homes, carefully supervised, which are ready at any time for the detention care of court children. These homes are paid small subsidies by the Society and the court pays board for the children at a daily rate. The plan has worked well in this district and one of its best features has been that the number of children detained has been kept at a minimum. Boston has sometimes been criticised on the ground that numbers of children are detained in jail. A recent study of the situation in the central district shows that very few children are detained in jail, the proportion being no greater, and probably not as great as that in many communities having houses of detention for children. The plan offers many suggestions to small towns and rural communities where the volume of work is not large enough to warrant a house of detention.

Detention homes for children are usually under the management of the juvenile court, or are closely connected with it. Sometimes the office of the court and the probation staff are in the detention home building.

Staff of Detention Home.

In considering the administration of detention homes, the question of personnel is all important. A home of inadequate equipment and few facilities, but under the management of a person of broad experience and understanding is far preferable to the best equipped and most complete home under the management of those who do not understand the needs of the children with whom they deal. Salaries must be sufficient to secure the services of persons adapted to the work. For the salaries now paid in some communities it is impossible to secure anything but inefficient service, and the real cost of such service far exceeds the amount which would be expended in securing the right kind of personnel.

It is impossible at this time to lay down rigid rules regarding the kind of training and experience which should be required of the staff of a detention home. The superintendent should be a person with maturity of judgment and considerable experience with children. Previous experience in the management of institutions may be helpful, but such equipment should not be over-rated at the expense of other qualifications. The superintendent should, however have had experience in responsible executive work of some type. He or she should have as an assistant a woman capable of assuming the responsibility for the details of household management and the preparation of the meals. She will also have to assume the main responsibility for the care of the girls and she should therefore be a woman of understanding and judgment who is able to win the respect and confidence of those under her care.

In a detention home accommodating 40 to 50 children, besides the superintendent and the housekeeper, and assistant to the housekeeper, for the care and supervision of the girls during the hours when the latter is off duty, and two men attendants (one night and one day) for the care of the boys, is necessary. They should be selected from the point of view of their probable success in dealing with children. A cook and a janitor or charwoman are also needed. The staff should be adequate in order that effective supervision may be maintained and the children will not have to do the heaviest part of the work. Teachers and supervisors of recreation are not included here as School Departments are often willing to make assignments to the detention home.

Physical Equipment.

The essentials of an adequate detention home are cleanliness, proper lighting and ventilation, bathing and toilet facilities separate

for boys and girls, and provision for segregation according to sex and character. Some provision for securing the windows against a possibility of escape is usually considered necessary. This need not take the form of bars. Iron screening, or better still, iron frames and small panes of glass, serve the purpose just as well.

Where buildings are especially constructed for detention purposes, it is usually possible to provide single rooms for the older children. Construction based on the single room plan is somewhat more expensive than construction on the dormitory plan, but the saving of expenses in supervision partly balances this. In some detention homes provision has been made for dormitories for some of the children and single rooms for others. Those in charge of these homes have usually expressed themselves in favoring the single room throughout if it can be afforded. However, for young dependent children dormitories are preferable.

If dormitories must be used, they should be sufficient in order to allow for segregation of different classes of children, and efficient night supervision must be maintained.

Far more undesirable than the dormitory plan with supervision, is the plan of caring for two or three children in a room, no supervision being maintained. In using an old residence for a detention home, small dormitories accommodating from three to five children each are often the most practicable arrangement, but supervision must be constant and thorough, and the classification of the children wise.

The use of detention homes for dependent and neglected children is undesirable unless no other provision is available; it should never be permitted unless strict separation of the delinquent and the dependent is possible, at least during the hours when they are not engaged in activities which make impossible undesirable intimacies.

The separation of the sexes should be as complete as possible, and separate dining rooms and living rooms for boys and girls should be provided. As a necessary part of the detention home out-door play space should be included.

The plan of the detention home should include the segregation of children who have infectious diseases and special toilet and bathing arrangements should be available for these children. Single rooms for such cases are especially desirable.

All children should be thoroughly bathed and cleansed upon admission and clean clothing should be furnished.

The meals served the children need not be elaborate, but the food should be sufficient in quality for the needs of a growing child, and should be of good quality. Hungry children furnish poor material

with which to build constructively. The meals should be prepared and served with due regard to cleanliness, and the service should be as attractive as the facilities permit.

Daily Program.

One of the most fundamental features of adequate detention service is the arrangement of the daily program so that the time of the child will be fully and wholesomely occupied. For the types of children under consideration such a well worked out plan is especially necessary. It prevents the formation of resentful and anti-social mental attitudes, and the intimacies which may be so harmful.

In this respect, the School Department in a number of cities have furnished valuable aid by assigning one or more teachers to the detention home school. They sometimes have the status and pay of teachers of special classes. Ideally, school should be in operation the entire year, as the need in summer is as great as the need in the winter.

It is sometimes thought that school in connection with detention home is unnecessary because the stay of the children is usually so short. However, the school is the best means for occupying the time of the children in a constructive way. Moreover, the length of the stay must sometimes extend over a period of a week or two weeks, or perhaps longer, and it does not seem fair to the child forcibly to detain him and then to deprive him of the opportunity of attending school, thus making it difficult or impossible for him to keep up with his class.

Provision should be made for the assignment of regular tasks to the children, in connection with the care of the home and the preparation and serving of the meals. However, care must be taken that the children are not given too heavy tasks, and that too great a proportion of their time is not spent in household drudgery.

Out of door recreation every day is a feature which in many detention homes is overlooked, but which is highly desirable. Here, too, the School Department can help by furnishing play supervisors who give part time to this work.

Provision for indoor recreation including quiet games, books, crocheting and embroidery, and, if possible, music, (piano or phonograph) is essential. Children must have recreation, and if they cannot find it in wholesome ways they will find it in most undesirable forms.

Clinical Study of Children.

The establishment of clinics in connection with detention homes for the physical examination and intensive mental and social study of the children, has already been mentioned. Such clinics are not necessarily part of the detention home, but their service must be readily available. The physical examination of children upon entrance and their segregation from the other children if there is any suspicion of communicable disease, are essential if protection is to be insured. The time spent in the detention home affords good opportunity for study and diagnosis. The need for complete information based upon thorough study of the child and his home is more and more recognized as an essential preliminary to the treatment of delinquent children and of neglected and dependent children also.

In conclusion, the all-important consideration in detention service may be summarized as follows: First: detention should be limited to those children for whom it is absolutely necessary, and the number of children detained, and the length of stay should be kept at a minimum. Investigations following apprehension is a means toward this end.

Second: More important than elaborate and expensive equipment is the personnel of the home—experience, good judgment, understanding, and the ability to win the confidence and respect of the children are essential.

Third: The detention home should furnish opportunity for segregation of the children according to sex and experience; effective supervision should be maintained at all times.

Fourth: The daily program of activities should be full and varied, in order that constructive interest may supplant morbid and pernicious tendencies and undesirable companionships.

2. THE JUVENILE COURT LAW

Park's Code Supplement 1917.

(Index of this law follows last Section)

Note: The Law of 1916 extending the influence of the Juvenile court to every county in the State, is found herein as Section 900 (00).

ARTICLE 11 (a)

Juvenile Courts.

The Supreme Court, in the case of Law et al. v McCord, 143-822 (85 S. E. 1025), declared Acts 1908, p. 1107 (secs. 885-900), unconstitutional. The General Assembly subsequently passed the Act of August 16, 1915, and Act of August 19, 1916, and these Acts are codified herein as secs 900 (a)-900 (qq)./

Sec 900 (a). Creation; counties included; construction of Article. /In counties having a population of sixty thousand (60,000) or more juvenile courts are created and established with original and exclusive jurisdiction of all cases coming within the terms and provisions of this Article. This Article shall be construed liberally and as remedial in character; and the powers hereby conferred are intended to be general to effect the beneficial purpose herein set forth./

Acts 1915, pp. 35,36. (Exclusive jurisdiction limited by constitution. See chapter this pamphlet on Jurisdiction).

Sec. 900 (b). To what child applicable.—This Article shall apply to all children under sixteen years of age,

(a) Who violates any penal law of any municipal ordinance, or who commits any act or offense for which he could be prosecuted in a method partaking of the nature of a criminal action or proceeding, except in crimes punishable by death or life imprisonment, or

(b) Who engage in any occupation, calling, or exhibition or is found in any place for permitting which an adult may be punished by law, or who so deport themselves, or himself, or in such condition or surroundings or under such improper or insufficient guardianship or control as to endanger the morals, health, or general welfare of such child, or

(c) Who come within the provision of any law for the education, care, and protection of children, or

(d) Whose custody is the subject of controversy of any suit; provided, however, that jurisdiction in such cases shall be vested in courts of records where the law now gives courts of records exclusive jurisdiction and that said courts of records shall have concurrent jurisdiction in all other cases arising under division (d) of this section. The judge of any court, except as above provided, in which there is pending any suit in which there is involved the question of the custody of any child shall refer and transfer by proper order said question of custody to the juvenile court to be heard and determined by it./

Acts 1915, pp. 35,36.

Sec. 900 (c). Petition, by whom.—/Any person having knowledge or information that a child is within the provisions of the preceeding section may file with the juvenile courts a verified petition stating the facts that bring such child within the provisions. The petition may be upon information and belief. The title of the proceeding shall be "In the Juvenile Court of.....County. In the matter of.....a child under.....years of age." The petition shall set forth the name and residence of the child and of the parents, if known to the petitioner, and the name and residence of the person having the guardianship, custody, control and supervision of such child, if the same be known or ascertained by the petitioner, or the petition shall state that they are unknown, if that be the fact./

Acts 1915, pp. 35, 37.

Sec. 900 (d). Investigation and summons.—/Upon filing the petition, the court may forthwith, or after first causing an investigation to be made by a probation officer or other person, cause a summons to be issued, signed by the judge or the special clerk of said court requiring the child to appear before the court, and the parents or the guardian, or the person having the custody, control or supervision of the child, or the person with whom the child may be, to appear with the child, at a place and time stated in the summons, to show cause why the child should not be dealt with according to the provisions of this Article./

Acts 1915, pp. 35, 37.

Sec. 900 (e). Taking child into custody.—/If it appears from the petition that the child is embraced within subdivision (a) of sec-

tion 900 (b), or is in such condition that the welfare of the child requires that its custody be immediately assumed, the court may endorse upon the summons a direction that the officer serving the same shall at once take said child into his custody./

Acts 1915, pp. 35, 37.

Sec. 900 (f). Service of summons.—/The summons shall be com-made personally by delivering to and leaving with the person summoned a true copy thereof. If it shall be made to appear by affidavit that reasonable but unsuccessful effort has been made to serve the summons personally upon the parties named therein, other than said child, the court at any stage of the proceeding may make an order for substituted service of the summons, and if such parties are without said county, service may be made by mail, by publication, or personally without the county in such manner and at such time before the hearing as in said order directed. It shall be sufficient to confer jurisdiction if service is effected at any time before the time fixed in the summons for the return thereof, but the court, if required, shall not proceed with the hearing earlier than the third day after the date of the service. Proof of service shall be made substantially as in courts of record. Failure to serve summons upon any person other than said child shall not impair the jurisdiction of the court to proceed in cases under subdivision (s) of section 900 (b); provided that, however, for good cause shown, the court make an order dispensing with such service./

Acts 1915, pp. 35, 37.

Sec. 900 (g). Contempt of court.—/The summons shall be considered a mandate of the court, and wilful failure to obey its requirements shall subject any person guilty thereof to liability for punishment as for a criminal contempt, without the intervention of a jury./

Acts 1915, pp. 35, 38.

Sec. 900 (h). Hearing of the case.—/Upon the return of the summons, or at any time set for the hearing, the court shall proceed to hear and determine the case. The court may conduct the examination of the witness without the assistance of counsel, and may take testimony and inquire into the habits, surroundings condition and tendencies of said child to enable the court to render such order or judgement as shall best conserve the welfare of said child and carry out the objects of this Article, and the court, if satisfied that the child is in need of the care, discipline and protection of the court may so adjudicate, and may, in addition, find said child to be in

a state of delinquency or neglect and may further render such judgement and make such order, or commitment according to the circumstances of the case as will best conserve the purpose of this Article./

Acts 1915, pp. 35, 38.

Sec. 900 (i). Probation officer, child in care of.—/The court may place the child in the care and control of a probation officer and may allow such child to remain in its home subject to the visitation and control of the probation officer, to be returned to the court for further proceeding whenever such action may appear to the court to be necessary; the court may authorize the child to be placed in a suitable family home subject to the friendly supervision of the probation officer and the further order of court; or it may authorize the child to be boarded out in some suitable family home in such manner as may be provided by law, or arranged by voluntary contributions, or otherwise, until suitable provision may be made for the child in a home without such payment; or the court may commit the child to any institution that may care for children within or without the county, incorporated or otherwise, /or to the Georgia State Reformatory, the Georgia Training School for Girls or to any other State Institution already existing or hereafter to be established, for the correction, reformation, or protection of children./ (a)/.

Acts 1915, pp. 35, 39. (a) Acts 1916, pp. 58, 59.

Sec. 900 (j). Child as ward of State.—/It is the intention of this Article that in all proceedings coming under its provisions the court shall proceed upon the theory that said child is a ward of the State and is subject to the discipline and entitled to the protection which the court should give such child under the conditions disclosed in the case./

Acts 1915, pp. 35, 39.

Sec. 900 (k). Public excluded from hearing; inspection of records. /The court shall have the power, upon the hearing of any case involving any child, to exclude the general public from the room wherein said hearing is held, admitting thereto only such persons as may have a direct interest in the case. The records of all cases may be withheld from indiscriminate public inspection in the discretion of the court; but such records shall be open to inspection to such a child, his parents, or guardians, at all times. The hearing may be conducted in the judge's chamber, or in such other room or apartment as shall be provided for such cases./

Acts 1915, pp. 35, 39.

Sec. 900 (l). Adjudication no conviction of crime.—/No adjudication under the provisions of this Article shall operate as a disqualification of the child for any office, state or municipal, and such child shall not be denominated a criminal by reason of any such adjudication, nor shall adjudication be denominated a conviction./

. Acts 1915, pp. 35, 40.

Sec. 900 (m). Release of child on recognizance.—/Until first the hearing of the case by the court, the chief probation officer, or any assistant probation officer, or any other official duly authorized so to do by the court, may release the child upon its own recognizance, or upon the recognizance of the parent or the person having the custody, control or supervision of the child, to appear before the court at such time as may be therein fixed. Any child embraced in this Article shall have the right now given by law to any person to give bond or other security for its appearance at the hearing./

Acts 1915, pp. 35, 40.

Sec. 900 (n). Arrests not excluded; transfer of cases to juvenile court.—/Nothing in this Article contained shall be construed as forbidding the arrest, with or without warrant, of any child, as now or hereafter may be provided by law, or as forbidding the issuing or warrants by magistrates, as provided by law. Whenever a child less than 17 or 18 years of age, according to sex, is brought before a magistrate, such magistrate, shall transfer the case to the juvenile court by an order directing that said child be taken forthwith to the detention home. Such magistrates may, however, by order admit such child to bail, or release said child in the custody of some suitable person, to appear before said juvenile court at a time designated in the said order./

Acts 1915, pp. 35, 40.

Sec. 900 (o). Transfer of records; hearing; detention.—All papers and processess in the hands of such magistrates shall be forthwith transmitted to the juvenile court, and shall become part of its records. The juvenile court shall thereupon proceed to hear and dispose of such case in the same manner as if the proceeding had been instituted in said juvenile court upon petition, as hereinbefore provided. In all cases the nature of the proceeding shall be explained to said, child, and, if they appear, to the parents, custodian, or guardian. Between the time of the arrest of such child with or without warrant, and the appearance of said child before

the juvenile court, if not released, he shall be detained subject to the order of the latter court./

Acts 1915, pp. 35, 40.

Sec. 900 (p). Criminal procedure.—/The court may, in its discretion, in any case of a delinquent child brought before it as herein provided permit such child to be proceeded against in accordance with the laws that may be in force in this State governing the commission of crime, and in such case the petition, if any, filed under this Article shall be dismissed and the child shall be transferred to the court having jurisdiction of the offense./

Acts 1915, pp. 35, 41.

Sec. 900 (a). Appeal to supreme Court; supersedeas; fast bill of exceptions.—/An appeal may be taken to the Supreme Court from any order of the court committing any child to an institution, or from any order charging the custody or guardianship of any child, within the time and in the manner provided by law or rule of court for appeals in civil cases; provided, that no such order shall be superseded, except in the discretion of the judge, but the order of court shall stand until reversed or modified by the Supreme Court; provided, further, that the pendency of an appeal shall not preclude or prevent the juvenile court during the pendency of said appeal, at a subsequent hearing for cause shown, to modify any order theretofore made, although the effect of such modification may be to suspend the appeal. All appeals under this Article shall proceed by fast bill of exceptions as provided for in Section 6153 of the Civil Code./

Acts 1915, pp. 35, 41.

Sec. 900 (r). Detention home; appropriation for expenses.—/The judge of the juvenile court may arrange with an incorporated society or association maintaining a suitable place of detention for children in the county, for the use thereof as a temporary detention home for children coming within the provisions of this Article, and may enter an order which shall be effectual for that purpose; and a reasonable sum shall be appropriated by the county commissioners or the authority having control of county matters for the expenses incurred by said society or association for the case* of such children. If, however, the judge of the juvenile court shall certify that a suitable arrangement for such use cannot be made, or continued, the county commissioners or the authority having control of county affairs shall establish, equip and maintain a home for the temporary detention of such children separated entirely from any

place of confinement of adults, to be called "The Detention Home," which shall be conducted as an agency of the juvenile court for the purpose of this Article, and so far as possible, shall be furnished and carried on as a family home and school in charge of a superintendent and a matron who shall reside therein./

Acts 1915, pp. 35, 41.

Sec. 900, (s). Appointment of probation officers; salaries; teaching of children; expenses; jailing of child.—/The judge of the juvenile court shall have authority to appoint said superintendent, matron and the other employees of said detention home in the same manner in which probation officers are appointed under this Article, their salaries to be fixed and paid in the same manner as the salaries of probation officers. The said judge may appoint as such superintendent or matron one of the probation officers with or without additional salary. Suitable arrangements shall be made for the education of all children under detention and to that end the judge of the juvenile court is authorized and empowered to arrange with the board of education of the county or city in which such detention home is situated for the necessary teacher for said children. The necessary expenses incurred in maintaining said detention home shall be paid by the county. In no case shall any child coming within the provisions of this Article (and less than 16 years of age) be detained in or committed to a jail, common lock-up, or other place where said child can come into contact at any time or in any manner with adults convicted or under arrest./

Acts 1915, pp. 35, 42.

Sec. 900, (t). Cooperation of municipalities and societies.—/The court is authorized to seek the cooperation of all societies or organizations, public or private, having for their object the protection or aid of delinquent or neglected children, to the end that the court may be assisted in every reasonable way to give to all such children the care, protection and assistance which will conserve the welfare of such children. And it is hereby made the duty of every county, town or municipal official or department, in said county, to render such assistance and cooperation within his or its jurisdictional power to further the objects of this Article. All institutions, associations or other custodial agencies in which any child may be, coming within the provisions of this Article, are hereby required to give such information to the court or any of said officers appointed by it as said court or officers may require for the purposes of this Article./

Acts 1915, pp. 35, 42.

Sec. 900 (u). Judge; appointment, term, salary, eligibility.—/The judge of the superior court of the county shall appoint the judge of said juvenile court for a term of six (6) years, and shall fix the compensation. Any attorney-at-law, who has practiced for three or more years shall be eligible to hold office as judge of said court, provided that among his qualifications shall be interest in children and knowledge of the problems of social service, of philanthropy and of child life./

Acts 1915, pp. 35, 43.

Sec. 900 (v). Appointment of probation and other officers; payment.—/The juvenile court shall appoint a probation officer to serve under the direction of the court in all cases arising under this Article, such officer to be paid out of the funds of the county. The court may appoint one or more deputy officers to be paid for their services out of the funds of the county. The same power of appointment shall apply to such other officers as the court may require./

Acts 1915, pp. 35, 43.

Sec. 900 (w). Volunteer probation officers.—/In addition, the court may appoint volunteer probation officers to serve without compensation, subject to such regulations and direction as the court may deem proper./

Acts 1915, pp. 35, 43.

Sec. 900 (x). Appointment of probation officers, how made.—/All appointments of probation officers paid out of the funds of the county shall be made on the basis or merit only, determined by a public competitive examination, held by three examiners appointed by the court. The examiners shall conduct the examination of all applicants and shall certify to the court for appointment to each position the names of the three highest (unless the number of applicants is less than three) from which appointment shall be made./

Acts 1915, pp. 35, 43.

Sec. 900 (y). Removal of probation officers.—/Any probation officer may be removed for cause by the judge of the court, the reasons therefor to be assigned in writing./

Acts 1915, pp. 35, 44.

Sec. 900 (z). Notice; duties and powers of probation officers; visitation.—/Whenever there is to be a child brought before the court under this Article, it shall be the duty of said court to notify the probation officer in advance. It shall be the duty of the proba-

tion officer to make such investigation of the child as may be required by the court; to be present in court at the hearing of all cases and to furnish to the court such information and assistance as the judge may require; to take charge of any child before and after hearing as may be directed by the court. Probation officers shall have all the powers of peace officers anywhere in the State for all purposes of this Article. During the probationary period of any child and during the time that said child may be committed to any institution or to the care of any association or person for custodial or disciplinary purposes, said child shall be subject to the friendly visitation of the probation officer or other agent of the court./

Acts 1915, pp. 35, 44.

Sec. 900 (aa). Final order, modification or change.—/Any final order or judgment by the court in the case of any such child shall be subject to such modification from time to time as the court may consider to be for the welfare of such child. No commitment of any child to any institution or other custodial agency shall deprive the court of the jurisdiction to change the form of the commitment or transfer the custody of said child to some other institution or agency on such conditions as the court may see fit to impose, the duty being constant upon the court to give to all children subject to its jurisdiction such oversight and control in the premises as will conduct to the welfare of said child and the best interests of the State. No order changing the form of commitment or transfer of custody of a child to some other institution or agency shall be made except upon ten days' written notice to the guardian, institution or agency, to whose care such child has been committed, unless such guardian, institution, or agency consents thereto./

Acts 1915, pp. 35, 44.

Sec. 900 (bb). Girls.—/All girls embraced within the provisions of this Article who shall be committed to or released from any institution shall be taken to and from such institution by a woman, except when ordered otherwise by the judge./

Acts 1915, pp. 35, 45.

Sec. 900 (cc). Referee; reports and judgments; review.—/The court may appoint one or more persons as probation officers to act as referee in the first instant to hear any cases coming within the provisions of this Article and make report thereof together with said referee's conclusions and recommendations. If no exception be taken to said report and no review be asked thereof, such report

and recommendations, if confirmed, shall become the judgment of said court. A review of the conclusions and recommendations of said referee may be had by any child, the parent, guardian or custodian of any child, by filing a petition for review thereof with said referee at any time within three days after the entry of the finding of said referee./

Acts 1915, pp. 35, 45.

Sec. 900, (dd). Salaries of probation officers.—/The probation officer and the deputy probtaion officers shall receive such salaries as may be prescribed by the court./

Acts 1915, pp. 35, 45.

Sec. 900, (cc). Expenses of care; payment; contempt.—/Whenever any child is found to be in such condition, surroundings or under such improper or insufficient guardianship as to lead the court in its discretion, to take the custody of said child away from its parents and place it in some institution or under some other custodial agency, the court may, after issuing and serving of an order to show cause upon the parents or other persons having the duty under the law to support said child, adjudge that the expense of caring for said child by said custodial agency or institution as fixed by the court be paid by the person or persons bound by the law to support said child. In such event such person or persons shall be liable to pay to such custodial agency or institution and in such manner as the court may direct the money so adjudged to be payable by him or them. Willful failure to pay said sum may be punished as a contempt of court and the order of the court for the payment of said money may be enforced as money judgements of courts of records are enforced./

Acts 1915, pp. 35, 45.

Sec. 900 (ff). Medical care of child.—/Whenever a child within the jurisdiction of said court and under the provisions of this Article appears to the court to be in need of medical care, a suitable order may be made for the treatment of such child in a hospital, and the expense thereof shall be a county charge. For that purpose the court may cause any such child to be examined by any health officer within the jurisdiction of the court, or by any duly licensed physician. The county may recover the aid expense in a suitable action from the person or persons liable for the furnishing of necessities for said child./

Acts 1915, pp. 35, 46.

Sec. 900, (gg). Changed conditions; restoration of custody to parents.—/Whenever it shall appear to the court, in the case of

any child who has been taken from its home or the custody of its parents, that conditions have so changed that it is consistent with the public good and the welfare of said child that the parents again have the custody of said child, the court may make a suitable order in the premises./

See Acts 1915, pp. 35, 46.

Sec. 900 (hh). Religious beliefs.—/In committing any child to any custodial agency, or placing it under any guardianship other than that of its natural guardians, the court shall, as far as practicable, select as the custodial agency some individual holding the same religious belief as the parents of said child, or, in the case of private institutions or associations, some institution or association governed by persons of like religious faith./

Acts 1915, pp. 35, 46.

Sec. 900 (ii). Guardian of property; custody and direction of child.—/Whenever, in the course of a proceeding instituted under this Article, it shall appear to the said court that the welfare of said child will be promoted by the appointment of an individual as general guardian of his property, and of his person, when such child is not committed to any institution or to the custody of any incorporated society, the court shall have jurisdiction to make such appointment either upon application of the child or some relative or friend, or upon the court's own motion. In that event, an order to show cause may be made by the court to be served upon the parent or parents of said child in such manner and for such time prior to the hearing as the court may deem reasonable. In any case arising under this Article the court may determine as between parents, whether the father or mother shall have the custody, and direction of said child.

Acts 1915, pp. 35, 46.

Sec. 900 (jj). Civil liability of child.—/If in adjudging a child to be delinquent, the court shall find as an element of such delinquency that such child has committed an act involving liability in a civil suit, the court may require that such child shall make restitution or reparation to the injured person to such an extent, in such a sum, and upon such conditions as the court shall determine./

Acts 1915, pp. 35, 47.

Sec. 900, (kk). Neglect by parents, etc.; hearing; punishment; juries; continuance; bond.—/Whenever, in the course of any proceedings instituted under this Article, it shall appear to the said court that a parent, guardian, or person having the custody, con-

trol or supervision of any delinquent or neglected child, or any other person has knowingly or wilfully encouraged, aided, caused, abetted, or connived at such state of delinquency or neglect, or has knowingly or wilfully done any act or acts to directly produce, promote, or contribute to the conditions which render such a child delinquent or neglected, the court shall have jurisdiction in such matters, and shall cause such parent, guardian, or other person, as the case may be, to be brought before it, upon either summons or a warrant for such order in the premises as the court may see fit to make. The court shall have full power to hear determine said matter against such parent, guardian, or other person, in the manner provided by law, for the trial of misdemeanors, and upon conviction such parent, guardian, or other person may be punished as provided by law in cases of misdemeanor; **provided**, that all cases against adults shall be tried before a jury of six, drawn by the judge from a panel of twelve from the latest jury list of any of the courts in the county using juries; **provided** also, that whenever the facts constituting an adult's contributing to the delinquency or neglect of a child under this article also constitute a crime as now is, or hereafter shall be, defined among the crimes against the State of Georgia the juvenile court shall have merely the power to commit such cases before the proper criminal court; **provided**, also, that facts proved against a child in establishing the child's delinquency such as would constitute a crime if the child were not relieved by this article of criminal responsibility, shall be sufficient as a basis to enable other courts to prosecute adults as principals or accessories, as the case might be; **provided**, that for the purpose of enforcing its judgments the court may in its discretion continue the proceedings against such parent, guardian, or other person, on probation. The court may further in its discretion as a part of the judgment require such person to enter into a bond, with or without surety, in such sums as the court may direct, to comply with the orders of the courts./

Acts 1915, pp. 35, 47.

Sec. 900 (11). Advisory board, appointment, duties.—/The judge may appoint a board of not less than six, nor more than ten, reputable inhabitants of which one-half shall be men and one half women, who shall serve without compensation or salary of any kind whatsoever, to be called the Advisory Board of the Juvenile Court. The members of this board shall hold office during the pleasure of the court. The duties of said board shall be as follows:

1. To visit as often as possible all institutions, societies or associations receiving children under this Article. Such visits shall be made by not less than two members of said board, who shall go together and make a report, and said board shall report to the court from time to time the condition of the children received by, or in charge of, any persons, institutions or associations and shall make an annual report to the judge of said court.

2. To advise and cooperate with the court upon all matters affecting the workings of this Article, and to recommend to the court any and all needful measures for the purpose of carrying out the provisions of this Article./

Acts 1915, pp. 35, 48.

Sec. 900 (mm). Rules and forms of procedure.—/The court shall have the power to devise and publish rules and regulate the procedure for cases coming within the provision of this Article, and for the conduct of all probation and other officers of this court, and such rules shall be enforced and construed beneficially for the remedial purposes embraced therein. The court may devise and cause to be printed for public use such forms for records and for various petitions, orders, processes and other papers and reports connected with cases coming within the provisions of this Article. All expenses incurred by the court in complying with the provisions of this Article shall be paid out of county funds./

Acts 1915, pp. 35, 48.

Sec. 900 (nn). Repugnant laws.—/All provisions of laws inconsistent with or repugnant to this Article shall be considered inapplicable to the cases arising under this Article.

Acts 1915, pp. 35, 49.

Sec. 900 (oo). Judge in certain counties; appointment, term, salary, powers.—/In all counties having a population of less than sixty thousand (60,000), the judge of the superior court shall designate an existing court of records to act and to be known at the juvenile court of said county. This shall involve no additional expense, shall create no new court or judge, but shall merely clothe an existing tribunal with additional powers.

(a) Nevertheless, in all counties having a population between thirty-five thousand and sixty thousand, upon the concurrent recommendation of two successive grand juries, the judge of the superior court shall appoint a properly qualified person, of high moral character and clean life, selected for his special fitness for work

with delinquent and neglected children, to be the judge of the juvenile court, whereupon it shall be considered that a special juvenile court has been established in said county. The term of the judge so appointed under this section shall be for three (3) years and the salary shall be fixed by the appointing judge with the approval of the county commissioners. Provided, that where the establishment of the juvenile court has been recommended by a grand jury in any county of this State at the term of the superior court at which a grand jury was empaneled and sworn, next preceding August 14, 1915 (the date when the Supreme Court held the juvenile court law to be unconstitutional) a recommendation by the grand jury of the same county at the next term of the superior court at which a grand jury is empaneled and sworn, after the passage of the amendments to the Act of 1915 at the 1916 session of the General Assembly, shall authorize the establishment of a juvenile court in all respects as though said court were recommended by two successive grand juries.

(b) In either event, whether the court be designated or special, the powers, authority, jurisdiction and procedure of the same shall be those of the courts already established under the Article hereby amended, except as hereinafter provided. The judge of the juvenile court, under this section, shall with the concurrence of the judge of the superior court, appoint one or more probation officers, male or female, who shall be paid in an amount named by the court and approved by the county commissioners. The judge of the juvenile court, under this section, shall make arrangements for the proper detention of children under this Article in surroundings, separate and removed from any jail, lock-up or other place of imprisonment where adults are imprisoned, except on order of the judge or probation officer. It is the purpose of this amendment to make State-wide the benefits of the juvenile court, and the provisions hereof shall be constructed beneficially towards that end./

Acts 1916, p. 60.

Sec. 900 (pp). Judge pro tempore.—/In the even of the disqualification, illness, or absence of the judge of the juvenile court upon his request if he is able to make it, otherwise upon the request of the judge of the superior court, the ordinary of said county, or the judge of the city court, or any person appointed pro tempore as the judge of the juvenile court is appointed, shall have the authority to preside in the stead of said disqualified, ill or absent judge./

Acts 1916, p. 61.

Sec. 900, (qq). **Certiorari.** /The writ of certiorari to the superior courts shall be to all final judgments of the juvenile courts as now lie from justice or other inferior courts, but no direct writ of error shall lie to either of the appellate courts./

Acts 1916, p. 61.

Sec. 900 (q).

INDEX.

Juvenile Court Law.

- Advisory board, 900 (ll) P. C.
- Age of children to which law applies, 900 (b) P. C.
- Appeal to Supreme Court, 900 (q) P. C.
- Arrest of child, 900 (n) P. C.
- Bail, 900 (n) P. C.
- Certiorari, 900 (qq) P. C.
- Civil liability of child, 900 (jj) P. C.
- Construction of law establishing, 900 (a) P. C.
- Contempt, 900 (g), 900 (ee) P. C.
- Continuance, 900 (kk) P. C.
- Conviction of crime, 900 (l) P. C.
- Co-operation of municipalities and societies 900 (t) P. C.
- Creation, 900 (a), 900 (oo) P. C. P. C.
- Criminal procedure, 900 (h), P. C.
- Custody of child, guardian of property, 900 (ii) P. C.
- Parents, 900 (gg) P. C.
- Religious belief, 900 (hh), P. C.
- Taking, 900 (e) P. C.
- Detention home, 900 (n), 900 (r), 900 (s) P. C.
- Education of children, 900 (s) P. C.
- Expenses of care of child 900 (ee) P. C.
- Females eligible to office in, 2167.
- Final order of judgment, 900 (aa) P. C.
- Hearings, 900 (h), 900 (k) P. C.
- Inspection of records, 900 (k) P. C.
- Investigations, 900 (d) P. C.
- Jail, confining of children in, 900 (s) P. C.
- Judge, 900 (u) P. C.
- Pro tempore, 900 (pp) P. C.
- Superior Court, 900 (oo,) P. C.
- Juries, 900 (kk) P. C.
- Jurisdiction, 900 (b) P. C.
- Lock-up, confining of children in, 900 (s) P. C.
- Medical care of child, 900 (ff) P. C.
- Neglect of child by parent, 900 (kk) P. C.
- Petition, 900 (e) P. C.
- Probation officers, appointment, 900 (s), 900 (v), 900 (x) P. C.
- Care of child, 900 (i) P. C.
- Duties and powers, 900 (z) P. C.
- Removal, 900 (y) P. C.
- Salaries, 900 (s), 900 (v), 900 (dd) P. C.

- Volunteers, 900 (w) P. C.
Procedure, 900 (p), 900 (mm)
P. C.
Recognizance, release of child
900 (m) P. C.
Records, inspection, 900 (k)
P. C.
Transfer, 900 (o) P. C.
Referees, 900 (cc) P. C.
Religious beliefs, custody of
child dependent on, 900 (hh)
P. C.
Girls, custody, 900 (bb) P. C.
Restoration of custody of par-
ents, 900 (gg) P. C.
Summons, 900 (d), 900 (f), 900
(g) P. C.
Superior court acting as, 900
(oo) P. C.
Transfer or cases, 900 (n), 900
(o) P. C.
Ward of State, child as, 900
(j) P. C.
Witnesses, examination, 900
(h) P. C.

3. GEORGIA ADULT PROBATION LAW.

Section 1081 (a). Probation of Offenders.—(In all prosecutions for crime except as hereinafter provided, where the defendant has been convicted either upon a trial or upon his plea, where the court has power to sentence such defendant to the chaingang, jail or other place of detention in this State, where it appears to the satisfaction of the court that the circumstances of the case and the public good does not demand or require the defendant's incarceration, said court may mold its sentence so as to allow the defendant to serve same outside the confines of the chaingang, jail or other place of detention, under the supervision of the court, and in such manner and on such conditions as it may see fit, giving the reasons therefor, which shall be made part of the record. Nothing in this law shall in any manner affect the laws providing the method of dealing with delinquent, wayward or dependent children, in those counties which may establish children's courts.

No person shall have the benefit of this law, except those convicted of misdemeanors or felonies which have been reduced to misdemeanors either by the court upon its own motion or upon recommendation of the jury.)

Acts 1913, p. 112.

Section 1081 (b). Probation Officers.—(It shall be the duty of the court molding the sentence, in those counties which do not provide a regular salaried probation officer, to secure the written consent of some responsible person in the community, who will agree to be a volunteer probation officer for the person whose sentence is molded. It shall be the duty of each volunteer probation officer to aid the probationer in abiding by the terms of his or her probation as set forth by the judge at the time of molding the sentence, and to report to the court when such conditions are not faithfully observed. The grand jury of any county may recommend to the judge of its superior court that he appoint a county probation officer, and such assistants as may be deemed necessary, who shall have supervision and oversight of all probationers from the several courts of criminal jurisdiction in the county, and it shall be the duty of the judge to appoint such person or persons as seem best qualified for the duties devolving upon a probation officer, to serve during the pleasure of the court making the appointment, and to fix the salary, which shall be paid out of the county treasury, as part of the court expenses: Provided, the judge may require of said officer a bond in such sum, with security, as the court may determine. Men or

women are eligible as volunteer or assistant probation officers: Provided, they are not members of a county or municipal police force.)

Acts 1913, pp. 112, 113.

Section 1081 (c). Duties of Probation Officers.—(The duties of the county probation officer shall be:

First, to investigate, in his discretion the case of any person brought before the court, to ascertain the history and previous conduct of the person arrested, and such other facts as may show whether he or she may properly be released as a probationer under the provisions of this law, and to accomplish this, the probation officer shall have opportunity to confer with the accused.

Second, to preserve complete records of all cases investigated, including descriptions sufficient for identification with the findings of the court, its action in the case, the subsequent history of the probationer in such form as may be prescribed under the provisions of this law. Such records shall be a part of the records of the courts, and shall at all times be open to the inspection of all officers of the courts.

Third, to take charge of all persons placed on probation under this law, to instruct probationers in their duty under the orders of court, enforce the terms and conditions of same, keep regular books of accounts showing any receipts and disbursements of money received by him under the terms of said orders of court. In so far as necessary to the performance of their official duties, probation officers shall have all the powers of police officers.)

Acts 1913, pp. 112, 114.

Section 1081 (d). Delinquent Probationers.—(Every person placed on probation under the provisions of this law shall, during the term of his release without the confines of the chaingang, jail or other place of detention, observe all rules prescribed for his conduct by the court, report to the probation officer as directed, and maintain a correct life. In case of failure to meet any of these requirements, and at any time prior to the final disposition of the case of any probationer in the custody of a probation officer, the officer may bring him without warrant before the court or the court may issue a warrant directing that he be arrested and brought before it. When such person is brought before the court, the court after due examination may revoke its leave to the probationer to serve his sentence outside the confines of the chaingang, jail or other place of detention.

Acts 1913, pp. 112, 114.

4. LAWS GOVERNING STATE TRAINING SCHOOLS

A Georgia State Training School for Boys

ARTICLE 1.

Established and How Managed.

Sec. 1237. Training School for Boys established.—There is hereby created and established a State institution to be known as the Georgia State Training School for Boys.

Acts 1905, p. 127.

Sec. 1238. Children under sixteen years old.—All male persons of the age of sixteen years or under, who have been, after the opening of said reformatory, duly convicted in any of the courts of this State of crime not punishable by death or imprisonment for life may, in the discretion of the judge having jurisdiction, be committed to the Georgia State Training School for Boys.

Age: Where sentence to training school recited that defendant was 14 years old, he could not obtain his discharge on ground that it did not appear that he was under 16, so as to authorize him to be sentenced under this section. 145/223 (2) (88 S. E. 819).

Confinement in jail: Where sentence to training school

provided that defendant be confined in county jail until turned over to training school it was not sentence of indefinite confinement in county jail, but contemplated only his reasonable detention therein until released to training school. 145/223 (3) (88 S. E. 819).

Sec. 1239. Indeterminate commitment.—The judge committing a person to the Georgia State Training School for Boys shall not fix a limit to the duration of the commitment, but shall merely commit said person to the Georgia State Training School for Boys; but no commitment shall extend beyond the time when the person committed shall have arrived at the age of twenty-one years.

Sec. 1240. How long person committed may be held.—Any person committed to the Georgia State Training School for Boys for any offense punishable by imprisonment in the penitentiary may be held in the Training School for Boys for a term not exceeding five years, or, if committed for a longer term than five years, may be held for such longer term: Provided, however, that no person shall

be held in said training school for boys after he has arrived at the age of twenty-one years.

Sec. 1240 (a) Judges of Superior Court, as well as Judges of Juvenile Courts, are authorized to commit incorrigible persons to this institution. Any commitment by Superior or Juvenile Courts shall be final, any child committed thereto being subject solely to the control of the authorities in charge of said institution with regard to rules for parole, discharge, etc. If there is room, parents may be allowed to enter incorrigible boys on payment of the fees required by the management.

Sec. 1241. Board of Managers control.—The general supervision, control and government of the training school shall be vested in "A board of Managers consisting of the State School Commissioner of the State of Georgia, the Secretary of the Board of Health of the State of Georgia (both of whom shall be ex-officio members of said Board of Managers), and five other persons, citizens of said State, two of whom may be women, to be appointed by the Governor. Said Board shall be known as Board of Managers of the Georgia Training School for Boys." Upon the passage and approval of this Act the Governor shall appoint the five appointive members of said Board, one for two years, two for four years, and two for six years, and thereafter their successors for a term of six years. The Governor shall fix a time and place for the first meeting of said Board within sixty days from their appointment, and shall call said Board together for organization and to arrange to take over the control, supervision and government of the institution heretofore known as "The Georgia State Reformatory." And said board shall have power to make all rules and regulations necessary and proper for the employment, discipline, instruction, and education of the inmates detained in their discretion as to what character or kind of work any particular inmate shall be required at any time to perform. "Said Board of Managers shall receive no compensation for their services, except their actual necessary expenses in attending upon meetings of said Board or performing actual work in connection with said institution, which shall be paid out of the general appropriation for said institution. The members of said Board of Managers shall qualify as members thereof by taking and subscribing to an oath to faithfully and impartially discharge their duties as members of said Board, and the president, treasurer and superintendent shall enter into bond in such sum as shall be prescribed by the Governor, conditioned on the faithful performance of all duties required of them, and the legal ac-

counting for all moneys intrusted to them for the use of said institution as members of said Board. The expenses for making said bond shall also be paid out of the appropriation for said institution as necessary expenses are paid.

Sec. 1242. Superintendent, teachers, guards, and employees.—The board shall have power to appoint, with the approval of the Governor a fit and proper person as superintendent of said training school at a salary not exceeding eighteen hundred dollars per year. The superintendent shall reside at the training school, and his lodging and board shall be furnished at the expense of the State. The duties of the superintendent shall be prescribed by the board and he shall be under its direction and control, and subject to removal by the board at any time. The board shall also appoint such teachers, guards and other employees as are necessary to the proper conducting of said training school and shall prescribe their duties and fix their salaries but the amounts of such salaries before allowed shall be approved by the Governor.

Sec. 1243. Inmates, how to be employed.—The inmates of the training school shall be employed in agricultural, domestic, and merchanical work, and shall be given a reasonable amount of instruction in the elementary branches of an English education. The board, if it deem best, is empowered to establish and maintain, in connection with the institution, a system of manual training and instruction in trades, and create such industries, productive or otherwise, as are, in their opinion, to the best interests of the inmates of the Training School.

Sec. 1244. Discipline.—The discipline to be observed in said institution shall be reformatory, and the board shall have power to use such means of reformation as is consistent with the improvement of the inmates, as it may deem best and expedient; but a method of discipline shall be used as will, as far as possible, reform the characters of the inmates, preserve their health, promote regular improvement in their studies and employment, and shall secure in them fixed habits in religion, morality, and industry; and the board shall maintain such control over the inmates as will prevent them from committing crime, best secure their self-support, accomplish their reformation, and that will tend to make them good and law-abiding citizens.

Sec. 1245. Parole of inmates.—The board shall have the power to establish such a system of parol of the inmates as it shall deem proper, and shall have power to establish rules and regulations un-

der which persons committed to the training school may be allowed to go outside of the grounds, but to remain while on parole within the legal custody under the control of the board and subject at any time to be taken back within the enclosure of the training school.

Sec. 1246. Conditional discharge.—Whenever it shall appear to the board that any person in the training school has reformed, after the expiration of one year from his or her reception therein it may, with the approval of the Governor, issue to him a permit to be at liberty during the remainder of his or her term, upon such condition as the board may deem best; and the board shall have power to revoke such permit in their discretion.

Sec. 1247. Arrest and return of inmate.—A written order signed by any member of the board shall be sufficient warrant to any officer of the State, or any other person named in the order, to authorize the officer, or other person named, to arrest and return to actual custody any conditionally released or paroled inmate; and it is the duty of all officers of the State to execute any such order placed in their hands, the same as any ordinary criminal warrant.

Sec. 1248. Jardon of inmate. Whenever it shall appear to the board that there is a strong or reasonable probability that any inmate would live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society, the board shall report to the Governor, who, if he deem proper, may give to said inmate an absolute release, which release shall operate as a pardon, or restore to the person so released all his rights of citizenship.

Sec. 1249. Separation of races. The white and colored inmates shall be kept separate and distinct in all work and study.

Sec. 1250. Registration.—When any person shall be received in the training school, there shall be entered in a registry book kept for that purpose the date of such admission, giving the name, age and color, and court from which committed, and for what offense.

Sec. 1251. Record of commitment.—Whenever a court shall commit any person to the training school, the clerk of the court shall furnish to the board a certified record showing the order of commitment, age of the person, and the offense for which he was committed. Upon receipt of such record the board shall be authorized to receive the person committed, his county or municipality defraying the expense of transportation to the State Training School for Boys.

Sec. 1252. Transfer from State prison farm or chaingang.—Prisoners in confinement at the State prison farm, or on the chaingang, at the time of the opening of the training school, who are of the age of sixteen years or under, who have not been sentenced for life, may, in the discretion of the board, be removed by the board to the training school; and all the terms of this Article shall apply to all such removed persons.

Sec. 1253. Deportment.—The board shall, under a system of marks or otherwise, fix upon a uniform plan by which it shall determine what credit shall be allowed as earned by each inmate as the condition of increased privileges or a release from the training school, which system shall be subject to a revision from time to time by the board. Each inmate shall be credited for good personal demeanor, diligence in labor and study, and for results accomplished, and be charged for dereliction, negligence, offenses, and violation of any of the rules of the institution.

Sec. 1254. Credit for good behavior.—The inmates of the training school shall be credited with their good behavior, and their time of commitment shortened as is not provided by law and allowed to misdemeanor and felony convicts. The time of those persons committed to the training school for a misdemeanor shall be shortened as provided in section 1179, and the time of those committed for a felony shall be shortened as provided in section 1221.

Sec. 1255. Agricultural products.—The board shall sell to the best advantage all agricultural products not used in the training school, and shall apply the proceeds thereof to the maintenance of the institution as far as necessary. Should any surplus funds arise from this source, they shall be paid into the State treasury annually and the board shall at the end of each quarter make to the Governor a detailed report of all such transactions.

Sec. 1256. Location. The board shall, within three months from August 23rd, 1905, with the consent of the Governor, select a suitable and proper site for the training school upon the State lands in Baldwin county.

Sec. 1257. Site and equipments.—The board shall, as soon as possible after the selection of the site for the training school, erect suitable building for the care of not less than one hundred and twenty-five inmates, with work-rooms, schoolrooms, and such other buildings as may be necessary, and shall purchase and equip the same with such furniture and equipment as may be necessary, and shall also purchase such live stock, tools, and other supplies as the

board may deem necessary. The erection of the buildings and equipment of the same shall be vigorously carried on, so that the training school may be opened at the earliest practicable time, and, if possible, be read for occupancy by the first day of January.

Sec. 1258. Proclamation by Governor.—Whenever the training school is ready for occupancy, the board shall give notice to the Governor; and thereupon the Governor shall issue his proclamation declaring the Georgia State Training School for Boys open and read to receive the class of persons provided for in this Article. When said proclamation is issued, the courts of this State shall take cognizance of the same, and shall, in their discretion, sentence the class of persons designed in this Article to the training school.

Sec. 1259. Not to affect other reformatories.—The terms of this Article shall not affect any county or municipal reformatory for juvenile misdemeanor convicts, established under the two succeeding Articles (Sec. 1260-1289): Provided, that should any such county at any time abolish its training school, the provisions of this Article shall apply to such county, and the inmates of the abolished reformatory shall be received in the Georgia State Training School for Boys without expense to the State of transportation, if such inmates are otherwise entitled to be received in said State institution.

B. GEORGIA TRAINING SCHOOL FOR GIRLS

ARTICLE 1.

Established and How Managed.

Sec. 1259 (a). School established.—(There shall be established in the State of Georgia an institution to be known as the Georgia Training School for Girls.)

Acts 1913, p. 87.

Sec. 1259 (b). Location, equipment and maintenance.—(Said institution shall be located on the lands owned by the State at Milledgeville and at such place there as the Prison Commission may designate, and for the purpose of erecting or remodeling necessary buildings, including the cost of plans and specifications and superintending construction, the purchasing of furniture and other articles required, there is appropriated out of any money in the State treasury, not otherwise appropriated, the sum of ten thousand dollars; Provided, however, that should the board of managers hereinafter created, deem it to the best interests of said institution to accept a site with or without buildings located thereon, donated by any city, town, county or person, to induce the location of said institution, then and in that event said institution shall be located upon such site instead of being located at Milledgeville: Provided, further, that for the purpose of maintaining said institution, paying the current operating expenses of the same for one year, beginning from the time said institution is made ready for the reception of inmates and so declared to be by the Governor, there is appropriated out of any money in the State treasury not otherwise appropriated the sum of ten thousand dollars or so much thereof as may be necessary).

Acts 1913, pp. 87, 88.

Sec 1259 (c). Board of managers.—(On the passage of this law the Governor shall appoint a board consisting of five persons, with the discretion to appoint three men and two women or three women and two men upon said board as he may deem advisable, who shall be known as "Board of Managers of the Georgia Training School for Girls" and shall fix a time and place for their first meeting not to exceed thirty days from the date of the appointment. The first two named, one of whom shall be a man and the other a woman,

shall hold office until June 30, 1915, and the last three shall hold office until June 30, 1916. Thereafter their terms of office shall be for three years. The Governor shall have power to fill all vacancies in said board of managers which may occur by death, resignation failure of refusal to act, or from any other cause whatsoever.)

Acts 1913, pp. 87, 88.

Sec. 1259. (d). No compensation for board. Oath and bond.—Said board of managers shall receive no compensation for their services, and they shall qualify on said board, taking and subscribing to an oath faithfully and impartially to discharge their duties and entering into bond in such sums and in such securities as shall be prescribed by the Governor, conditioned on the faithful performance of all duties required of them in this Article. The actual and necessary expenses of this board of managers incurred in the discharge of their official duties, together with the expense of making said bonds herein provided, shall be paid out of the general appropriation for said institution.)

Acts 1913, pp. 87, 89.

Sec. 1259 (e). Officers, superintendents, salary.—(Said board of managers shall organize by electing one of their members as chairman and another as secretary of said board, and when it may be deemed advisable, said board shall appoint a competent woman as superintendent of said institution, at a salary to be fixed by the Board of Managers, and shall appoint such other employees as may be necessary to carry on the work of said institution, prescribing the duties of both the superintendent and all other employees: Provided, the salary of said superintendent and said employees as well as the expenses of the board of managers shall be paid out of the maintenance fund, appropriated by section 1259 (b). The superintendent and all other employees shall be subject to removal from office at any time by said board).

Acts 1913, pp. 87, 89.

Sec. 1259 (f). Meetings.—(It shall be the duty of said board managers to meet once every three months for the purpose of attending to such matters as may come before them in the management of said institution. Special meetings may be called by the chairman. Absence from any three meetings, unless excused by the majority of the other members present, shall be treated by the Governor as a resignation from office.)

Acts 1913, pp. 87, 89

Sec. 1259 (g). Abstract of title.—(Should said board of managers select location for said institution, which donated for the purpose, an abstract of title, approved by the attorney-general, showing a good and sufficient title in the person or persons donation the same, shall be filed with the report of the board of managers).

Acts 1913, pp. 87, 89.

Sec. 1259 (h). Government of institution.—(The board of managers shall prepare and adopt a system of government for said institution embracing such rules and regulations as may be deemed necessary for preserving order and enforcing discipline, for imparting instruction and preserving health, for the proper intellectual and moral training of the inmates, including a thorough domestic training and education, and for the operation and management of said institution).

Acts 1913, pp. 87, 90.

Sec. 1259 (i). Who may be committed and how.—(The judges of the Juvenile and superior courts, may in their discretion commit to the Georgia Training School for Girls any girl under eighteen years of age, who has committed any offense against the laws of this State not punishable by death or life imprisonment, or who habitually associates with vicious or immoral people, or who is incorrigible to such an extent that she can not be controlled by parents or guardian there to be held until such girl reaches the age of twenty-one, unless sooner discharged, bound out, or paroled under the rules and regulations of said board of managers: Provided, however, that no girl who is insane or an idiot or afflicted with an incurable disease shall be sentenced or committed to said institution. The judges of the Juvenile and Superior courts may hear and determine such cases presiding in court or in chambers: Provided, that any girl brought before court shall have a right to demand trial by jury, and may appeal from the judgment of said court as provided by law. The fees that are now allowed by law for carrying persons to the penitentiary shall be allowed to the sheriffs of the various counties of the State for services in taking such girls as may be committed by the several courts to the Georgia Training School for Girls).

Acts 1913, p. 87, 90.

Sec. 1259 (j). Improper subjects returned. Parole.—(The superintendent in charge of said institution, with the consent of the chairman of the board of managers, shall be authorized and empowered to return whence she came any girl who shall be found to be an improper subject for admission, and who shall thereupon be

dealt with by the court or judge committing her as would have been legal in the first instance, had not said girl been committed to the said Georgia Training School for Girls, and provided, that said board of managers may liberate conditionally on parole any inmate of said institution, or may bind her out to some suitable person, or may return any inmate to her parent or guardian under such rules and regulations and upon such terms as said board of managers may deem in the best interests of the inmates.)

Acts 1913, pp. 87, 90.

Sec. 1259 (k). Books of account.—(The board of managers shall keep or cause to be kept regular books of account and said board shall, on or before the first of June in each year report to the Governor, giving in detail the receipts and disbursements of moneys by said board, and such statistical information as may be of value and interest, with such recommendations as said board may deem necessary to the welfare of the Georgia Training School for Girls).

Acts 1913, pp. 87, 91.

INDEX

A

- Abduction, Par. 54.
- Abortion, Par. 54
- Admissions to institutions
See Institutions.
- Adoption,
Method of, par. 43.
- Adult Probation,
Combined with Juvenile,
par. 13.
- Law,—See Appendix., (3)
- Of contributory cases, par. 46.
- Of deserting father, par. 49.
- Adults contributing to child's
delinquency, par. 46
- Committing crimes against children,
par. 54.
- Counseling to commit crimes, par. 54.
- Advisory Board, Duties, par. 15
- Age of consent, par. 54.
- Age of marriage, par. 54.
- Age, verification of, par. 47.
- Alimony, par. 50.
- Almshouses, Detention of children
in, par. 22.
- Supervision of cases in, par. 66.
- Arrests, Chapter III.
- Attorney,
Place in Juvenile Court, par. 31.

B

- Blind, academy for, par. 60.
- Board of Public Welfare,
Duties,—See Introduction,
Members and staff,—inside front
cover.
- Boys Training School, par. 56 (4),
59, Law governing, in appendix (4).

C

- Child Labor,
Provisions of Law, par. 53.
- Child Placing, par. 51, 56, (3).
- Cigarettes, selling or giving to minors,
par. 54.
- Circuit Supervisor, plan for rural
counties par. 14.
- City Court, jurisdiction of, par. 40
- Commitment, method of, par. 58, 59, 60.
- Confederate Veterans, care of, par. 67.
- Cooperation with agencies, par. 73.
- Crimes against children,
Crimes against unborn children, par.
54.
- Gaming with minors, par. 54.
- Kidnapping, par. 54.
- Marrying illegally, par. 54
- Playing pool or billiards with
minors, par. 54.

- Prostitution, par. 54.
- Seduction, par. 54.
- Selling or giving cigarettes, par. 54
- Sexual crimes, par. 54.
- Criminal court,
Difference between Criminal and
Juvenile Courts,—See Introduction
par. 1, 4, 27. Chaps. IV, V, VI.
- Crippled, Hospital for, par. 60.
- Custody—child who should be taken
in, par. 56.
- When controversy, par. 41.

D

- Damages, restitution of, par. 45.
- Deaf, Academy for, par. 60.
- Defectives, mental, care of, par. 56.
- Special classes for, par. 77, (4).
- Dependent families, care of, Chapt. X.
- Care of confederate veterans, par. 67.
- Compensation for industrial acci-
dents, par. 68.
- County almshouse cases, par. 66.
- County poor relief, par. 64.
- Development of community resources,
par. 61.
- Poor Law, par. 65.
- Prosecution of deserter, par. 49.
- Desertion, par. 50, 56 (3).
- Designation of Juvenile Court, pars.
4, 5, 6, 7.
- Disposition of children's cases,
Care of dependent families, Chap. X.
- Children who should be taken under
custody, par. 56.
- Method of commitment and discharge,
par. 58, 59, 60.
- Probation in most cases, par. 55
- Removing child from home only as
last resort, par. 55.
- Detention:
By probation officer, par. 18, 19.
- Essentials in detention homes,
Appendix I.
- Illegal in jail, par. 18, 20, 39.
- In almshouse inexcusable, par. 22.
- In small counties, par. 21.
- Length of, par. 23.
- Limits of use of, par. 24.
- Provision for, par. 20.
- Discharge from institution, par. 59, 60.
- Divorce, par. 50.

E

- Employment, Problem of par. 72.
- Estrangement of parents, par. 50.
- Examinations, physical and mental,
par. 28.

F

- Feebleminded, care of, par. 56.
- Special classes for, par. 77 (4).
- Felony cases, trial of, par. 37-46.
- Field of Juvenile court, par. 1, 3, 4, 17, 31.
- Follow up care, par. 75.

G

- Gaming with minors, par. 54.
- Girls cases,
 - Woman referee in, par. 34.
- Girls Training School, par. 56
- (4), 59, Law governing in appendix (4)
- Growth of Juvenile Court movement, par. 1 and 2.
- Guardians,
 - Appointment by Juvenile court, par. 42.
 - Appointment by Ordinary, par. 40.

H

- Health,
 - Medical care enforced, par. 44.
 - Physical and mental examinations, par. 28.
 - Probation officer should not do work of nurse, par. 13.
 - Public Health Program, par. 77. (5).
- Hearings, in private chambers, par. 30.
- By woman referee, par. 34.
- Frequency of, par. 33.
- History of Juvenile court movement, par. 1 and 2.
- Home, importance of keeping child in, par. 55.

I

- Illegitimate children, care of, par. 51.
- Imbeciles, care of, par. 56.
- Industrial accidents, compensation for par. 68.
- Institutions:
 - County reform schools, par. 57.
 - Discharge from, par. 59.
 - Enforcement of support in, par. 48.
 - Expense of care in State Institutions par. 59.
 - For Blind, Deaf and Crippled, par. 60.
 - For delinquents, par. 56 (4), 59, Laws governing, appendix (4)
 - For dependents, par. 56 (3) 58.
 - For feebleminded, par. 56 (1) and (2) 59.
 - For insane, par. 56, 59.
 - Method of commitment, par. 59.
 - Races cared for in State Institutions, par. 59
 - Steps necessary before commitment par. 58.
 - Support needed by State Training Schools, par. 57.
 - Use of, par. 56, 59.
- Investigation, par. 18, 19 and Chap. V.

J

- Jail, detention in illegal, par. 18, -20, 39.
- Judgment in Juvenile cases, par. 35.
- Judge of Juvenile Court,
 - Compensation, par. 7.
 - Designation, Par. 4, 5 and 6.
 - Duties, Par. 7, 30, to 60.
 - Obligated to serve, par. 7.
- Jurisdiction of court, chapter VII.
- Compulsory school attendance, par. 52.
- Concurrent with Superior Court, par. 37.
- Controversy over custody of children, par. 41.
- Enforcement of child labor law, par. 53.
- Enforcement of medical care, par. 44.
- Enforcement of support of child, par. 49.
- Enforcement of support in institution, par. 49.
- Felony cases, par. 37, 46
- Jury trial of adult misdemeanants, par. 46.
- Limited, par. 36.
- Prosecution of adults who contribute, par. 46.
- Prosecution for crimes against children, par. 54.
- Protection of illegitimate children, par. 51.
- Restitution of damages, par. 45.
- Jury trial in Juvenile Court, par. 46.
- Justice of Peace, jurisdiction, par. 38.
- Juvenile Court Law,
 - Printed in full, appendix (2)
 - Requirements, par. 4.
- Juvenile courts with special judge, Counties having or eligible to have, par. 8.

K

- Kidnapping, par. 54.

M

- Marriage Laws, par. 54.
- Medical care enforced, par. 44.
- Mental examinations, par. 28.
- Minors, playing pool and gaming with, par. 54.
- Selling or giving cigarettes to, par. 54.
- Misdemeanor cases against adults, trial of, par. 46.

N

- Negro advisory board, par. 16.
- Negroes, State institutions providing for, par. 59.

O

- Obscene literature and language, par. 54
- Ordinary, jurisdiction of, par. 40.

P

- Parents,
 - Abandonment of child by, par. 49.

- Apprehension and return of deserter, par. 49, 56 (3).
 - Child absent when parent tried, par. (32).
 - Collection of cost of care in institution from, par. 48.
 - Collection of cost of medical care from, par. 44.
 - Collection of cost of support of child from, par. 49.
 - Consent to play pool, par. 54.
 - Duty of to care for child, par. 49, 55, 56
 - In truancy cases, par. 52.
 - Of illegitimate children, par. 51.
 - Present during hearing, par. 30.
 - Right to keep children, par. 55.
 - When financially disabled, par. 56 (3)
 - Pensions, confederate veteran's, par. 67.
 - Petition of complaint, par. 17.
 - Physical education, par. 77.
 - Physical examinations, par. 28.
 - Police, How should handle cases, par. 18, 38.
 - Pool or billiards,
 - Playing by minors, par. 54.
 - Poor relief,
 - Method of, Chapter X.
 - Poor law, par. 65.
 - Probation officer might supervise, par. 13.
 - Preventive measures,
 - Development of, chap. XII.
 - Farm agent and home demonstration, par. 77 (7).
 - Guarding health of children, par. 77. (5).
 - Physical education, par. 77 (2)
 - Private agencies, par. 77. (8).
 - Public Recreation, par. 77. (6).
 - Special classes for retarded children, par. 77 (4).
 - Truant officer, par. 77. (1).
 - Vocational education, par. 77. (3).
 - Private agencies, par. 61, 73, 76, 77 (8).
 - Probation, adult, see Adult Probation.
 - Probation, Juvenile,
 - Cooperation with agencies, 73.
 - Finding employment, par. 72.
 - Follow up care, par. 75.
 - Home visiting, par. 70.
 - Method of supervision, par. 69.
 - Records, par. 74.
 - Reporting, par. 70.
 - When applied, par. 55.
 - Working with the school, par. 71.
 - Probation officer,
 - Duties, par. 12.
 - Extension of duties, par. 13.
 - Fixing of salary, par. 9.
 - Gaining appreciation of work, par. 76
 - Qualifications, par. 10, 15.
 - Required in all counties, par. 9.
 - Selection and removal, par. 11.
 - Use of Publicity, par. 76.
 - Use of Volunteers, par. 76.
 - Procedure,
 - Bringing case to court, par. 17.
 - Complaint or arrest, chap. III.
 - Detention, chap. IV.
 - Disposition of case, chap. IX.
 - Frequency of hearings, par. 33.
 - Hearing in private chambers, par. 30.
 - Judgment, par. 35.
 - Jury trial of adult misdemeanants, par. 46.
 - Petition, par. 17.
 - Preliminary investigation, par. 18.
 - Presentation to judge, par. 29.
 - Publicity, par. 30.
 - Recognizance, par. 17.
 - Steps necessary before commitment, par. 58, 59.
 - Studying the case, chap. V.
 - Summons, par. 29.
 - Trial in court, chap. VI.
 - Woman referee in girls cases, par. 34.
 - Prostitution,
 - Keeping house of, par. 54.
 - Soliciting for, par. 54.
 - Publicity,
 - Dangers of, par. 30.
 - Use of, par. 76.
- R**
- Rape, par. 54.
 - Recognizance, par. 17.
 - Reconciliation of parents, par. 50.
 - Records, par. 74.
 - Recreation, par. 77. (6).
 - Relief, see Dependent Families
- S**
- Seduction, par. 54.
 - Sheriff, how should handle cases, par. 18, 38.
 - Special Juvenile Courts,
 - Counties having or eligible to have, par. 8.
 - Method of securing, par. 4.
 - State Institutions, see Institutions.
 - Summons, par. 29.
 - Superior Court, jurisdiction, par. 37.
- T**
- Transients, par. 63.
 - Trial in Juvenile Court, chap. VI.
 - Truancy,
 - Attendance officer required, par. 52.
 - Probation officer should not handle, par. 13.
 - Provisions of law, par. 52.
- V**
- Verification of age, par. 47.
 - Veterans care of, par. 67.
 - Vocational Education, par. 77 (3).
 - Vocational Rehabilitation, par. 60.
 - Volunteers, use of, par. 76.

